



# CITY OF FOUNTAIN VALLEY

## POLICE DEPARTMENT

TO: Captain Kevin Childe  
FROM: Lieutenant Mike Simko  
DATE: March 22, 2007

SUBJECT: INTERNAL AFFAIRS – OFFICER JOEL GONZALEZ

In December 2006, retired FVPD Police Officer [REDACTED] told me his wife, [REDACTED] was working as a court reporter on a motion to suppress evidence hearing involving a Fountain Valley Police Officer. [REDACTED] said per his wife, she believed the Officer had lied on the stand. [REDACTED] was unsure of the name of the Officer as he had not been present. His wife said the Officer was Mexican and large framed. The testimony [REDACTED] referred to was similar to testimony I heard Officer Gonzalez had difficulty with in a November 2006 evidence suppression hearing.

In December 2006, I researched Officer Gonzalez' court appearances and noted he was subpoenaed regarding a 4/17/06 narcotics arrest involving Mark Sternisha. This arrest was documented under DR#06-1782.

Per this report, Officer Gonzalez contacted Sternisha on a vehicle stop after witnessing suspicious activity and a Vehicle Code violation. Officer Gonzalez requested permission to search Sternisha's vehicle. Sternisha did not give consent.

**Officer Gonzalez wrote in his report, "I told Sternisha I was going to have a narcotics dog respond to my location to do an exterior search of the vehicle for contraband."**

Officer Gonzalez then asked Sternisha if there was anything illegal in his vehicle, and Sternisha said he might have something in his vehicle. Officer Gonzalez searched the vehicle based on Sternisha's admission and located a scale, a glass pipe, methamphetamine and marijuana. He arrested Sternisha and booked him at Orange County Jail.

I noted Officer Gonzalez had tape-recorded his contact on Micro-Cassette Tape #6143. This tape was booked as evidence, and I obtained it from FVPD Property Clerk Linda

Gottlied. I listened to the tape and heard Officer Gonzalez ask Sternisha for consent to search his vehicle. Sternisha denied consent.

**Officer Gonzalez then stated, “I can do it the hard way. I can get a dog out here. We can tear the shit out of your upholstery cause I know you’ve had it in here before.”**

Sternisha then admitted there was contraband in his vehicle. Officer Gonzalez had Sternisha exit his vehicle and searched the vehicle.

In January 2007, I attempted to obtain a copy of the transcripts from court via Jim Manton. These transcripts were misplaced prior to being delivered to me. In late January or early February, I called Kim Manton who made a duplicate copy of the transcripts. These transcripts were delivered to me by a Fountain Valley Police Aide.

I read the transcripts and noted Officer Gonzalez testified on 11-1-06 at West Court. Present were Judge Michael Beecher, Deputy District Attorney Joseph Dane and Defense Attorney David Scharf.

Per the transcripts, Officer Gonzalez was asked by DDA Dane on direct examination about the events of the contact with Sternisha. Officer Gonzalez advised he had asked for permission to search Sternisha's vehicle, and Sternisha did not give permission. The following is an excerpt of DDA Dane's direct examination of Ofc. Gonzalez. This excerpt can be located on pages 25 and 26 of the court transcript.

**DDA Dane: What happened next?**

**Officer Gonzalez: I advised him that I was going to have a narcotics dog respond and do an exterior search of the vehicle; and based on his objective symptoms, I believed he was under the influence of a controlled substance and I believed he might have had narcotics in the car.**

Defense Attorney Scharf conducted cross examination of Officer Gonzalez. The following are excerpts from the cross examination on pages 42 thru 43 of the court transcript.

**“Defense Attorney Scharf: Do you have an independent recollection of what occurred?**

**Officer Gonzalez: Yes.**

**The Court: He has some problem or we wouldn't be looking things up, but he has a general recollection.**

**Defense Attorney Scharf:** For example, do you recall making the specific threat to Mr. Sternisha to obtain his consent that you could call the dogs in and they could tear the shit out of his upholstery and you could search that way?

**DDA Dane:** Objection. Facts not in evidence.

**The Court:** The question is, is that the way that it was put to the defendant. If that's the question, overruled.

**Officer Gonzalez:** I don't recall what I said.

**Defense Attorney Scharf:** Oh, I thought you wrote a police report; correct?

**Officer Gonzalez:** Yes.

**Defense Attorney Scharf:** Did you tell the truth in that?

**Officer Gonzalez:** Yes.

**Defense Attorney Scharf:** Well, didn't you put in your police report that what you said to him was, you can call the dogs and they could search the exterior of the vehicle, is that what you put in there?

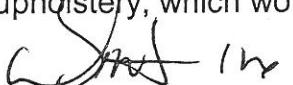
**Officer Gonzalez:** Yes.

**Defense Attorney Scharf:** Is that what you told him?

**Officer Gonzalez:** I don't recall exactly what I told him."

Defense Attorney Scharf later submitted as evidence a copy of Ofc. Gonzalez micro-cassette tape from his contact with Sternisha and transcripts of that tape recorded contact. The audio tape was played in court and Defense Attorney Scharf then questioned Ofc. Gonzalez regarding the contact with Sternisha.

The issue with this incident is Officer Gonzalez wrote and testified that he told Sternisha he was going to have a dog search the exterior of the vehicle; however, on his tape, he stated to Sternisha he could get a dog and the dog would tear the shit out of the upholstery, which would be an interior search.

  
Lieutenant Michael Simko #156



OFFICE OF THE

# DISTRICT ATTORNEY

ORANGE COUNTY, CALIFORNIA

TONY RACKAUCKAS, DISTRICT ATTORNEY

**CHARLES MIDDLETON**  
CHIEF ASSISTANT D.A.

**JIM TANIZAKI**  
SENIOR ASSISTANT D.A.  
FELONY OPERATIONS 1

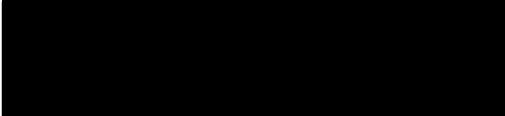
**WILLIAM FECCIA**  
SENIOR ASSISTANT D.A.  
FELONY OPERATIONS 2

**MARY ANNE McCUALEY**  
SENIOR ASSISTANT D.A.  
BRANCH COURT OPERATIONS

**DONALD BLANKENSHIP**  
CHIEF  
BUREAU OF INVESTIGATION

**LISA BOHAN - JOHNSTON**  
DIRECTOR  
ADMINISTRATIVE SERVICES

November 6, 2007



Re: People v. Michael Fadgen – 07WM00495

Dear Mr. Baylis:

In compliance with our discovery obligations, we are providing the following:

In People v. Mark Alan Sternisha (06WF1057) the defendant faced charges of H&S §§ 11378, 11379, 11364, and 11357(b).

On November 1, 2006, the defendant was present in court with his counsel, David Scharf, for a preliminary hearing and suppression motion. Officer Joel Gonzalez, Badge #241, from the Fountain Valley Police Department, was called as the first witness for the prosecution.

During his testimony on direct examination, Officer Gonzalez testified that he made a vehicle stop on the defendant's car on 4/17/06. He further testified that during his contact with the defendant, he asked for consent to search the car and the defendant denied his request. He testified that after the denial, he advised the defendant that he was "going to have a narcotics dog respond and do an exterior search of the vehicle...."

Under cross examination, Mr. Scharf asked Officer Gonzalez if he recalled "making the specific threat to Mr. Sternisha to obtain his consent that you could call the dogs in and they could tear the shit out of his upholstery and you could search that way?" Officer Gonzalez responded by indicating that he did not recall what he said. Thereafter, Mr. Scharf requested and was granted permission to play an audio tape of the contact. The audio tape was from a recording made by Officer Gonzalez during the contact and had been obtained by Mr. Scharf from the District Attorney's Office through the normal discovery process. After more questioning, Officer Gonzales was asked by Mr. Scharf whether there was anything different about the tape than what actually occurred in the conversation that night, to which Officer Gonzalez answered, "Whatever was said in the tape, that's what I said."

In his police report (Fountain Valley Police Department DR #06-1782), Officer Gonzalez had

REPLY TO: ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE

WEB PAGE: [www.OrangeCountyDA.com](http://www.OrangeCountyDA.com)

MAIN OFFICE  
401 CIVIC CENTER DR W  
P.O. BOX 808  
SANTA ANA, CA 92701  
(714) 834-3600

NORTH OFFICE  
1275 N. BERKELEY AVE.  
FULLERTON, CA 92631  
(714) 773-4480

WEST OFFICE  
8141 13<sup>th</sup> STREET  
WESTMINSTER, CA 92683  
(714) 896-7261

SOUTH OFFICE  
30143 CROWN VALLEY PKWY.  
LAGUNA NIGUEL, CA 92677  
(949) 249-5026

HARBOR OFFICE  
4601 JAMBOREE RD.  
NEWPORT BEACH, CA 92660  
(949) 476-4650

JUVENILE OFFICE  
341 CITY DRIVE SOUTH  
ORANGE, CA 92668  
(714) 935-7624

CENTRAL OFFICE  
700 CIVIC CENTER DR. W  
P.O. BOX 808  
SANTA ANA, CA 92701  
(714) 834-3600

written that after the defendant denied consent to search his car, he then told the defendant that he was going to have a narcotics dog respond to his location to do an exterior search of the vehicle for contraband. The following is a verbatim excerpt from Officer Gonzalez's report:

"I asked Sternisha if he had anything illegal in his vehicle, and he said, 'No.' I asked Sternisha if I could search his vehicle for narcotics and he preferred if I did not. I advised Sternisha that I had reasonable suspicion he might have contraband in the vehicle due to the fact that he was under the influence of a central nervous system stimulant. I told Sternisha I was going to have a narcotics dog respond to my location to do an exterior search of the vehicle for contraband."

On the tape of the contact recorded by Officer Gonzalez, Officer Gonzalez is heard making reference to the upholstery of the defendant's car when attempting to get consent to search. The following is a verbatim excerpt from the tape-recorded contact:

Officer Gonzalez: Okay, so you're still under the influence. Okay. You're still showing objective symptoms. Okay. I'm just asking to be polite and to give you the respect that it is your car. Technically, I do have probable cause to- to search your car. Is that all right with you if I search your car?

Defendant: I'd rather you didn't, sir.

Officer Gonzalez: Huh?

Defendant: I'd rather you didn't.

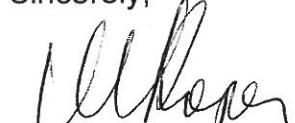
Officer Gonzalez: Okay. Just hang tight. I'm going to wait for my partner to get here and then we'll do whatever we're going to do. You want to be honest with me, man? It can go easy. It can go real easy.

Defendant: (Inaudible)

Officer Gonzalez: I can do it the hard way. I can get a dog out here. We can tear the shit out of your- your upholstery because I know you've had- I know you've had it in here before.

A copy of the Fountain Valley Police Report (DR # 06-1782) is attached, as well as a copies of the transcripts of the preliminary hearing and the tape-recorded contact.

Sincerely,



Margaret A. Roper  
Senior Deputy District Attorney  
Assistant Head of Court, West Justice Center

Audio tape of incident

Officer: Is that all right with you if I search your car?

Sternisha: I'd rather you didn't, sir.

O: Huh?

S: I'd rather you didn't.

O: Okay. Just hang tight. I'm going to wait for my partner to get here and then we'll do whatever we're going to do. You want to be honest with me, man? It can go easy....

It can go real easy.

S: (Inaudible.)

O: *I can do it the hard way. I can get a dog out here. We can tear the shit out of your – your upholstery because I know you've had – I know you've had it in here before.*

S: (Inaudible.)

O: Okay. Well.

S: (Inaudible.) There might be something (inaudible).

(p.7-8 of transcript)

Police report:

"I asked Sternisha if I could search his vehicle for narcotics and he preferred I did not. I advised Sternisha that I had reasonable suspicion he might have contraband in the vehicle due to the fact that he was under the influence of a central nervous stimulant. *I told Sternisha I was going to have a narcotics dog respond to my location to do an exterior search of the vehicle for contraband.*" (p. 2)

Testimony (11/1/06)

Direct:

Joe Dane: Did he agree to the search at that point?

Officer: Initially, no.

JD: What happened next?

O: *I advised him that I was going to have a narcotics dog respond and do an exterior search of the vehicle* and based on his objective symptoms, I believed he was under the influence of a controlled substance and I believed he might have had narcotics in the car.

(p. 25-26 PH transcript)

Cross:

Dave Sharf: For example, do you recall making the specific threat to Mr. Sternisha to obtain his consent that you could call the dogs in and they could tear the shit out of his upholstery and you could search that way?

O: I don't recall what I said.

DS: Oh, I thought you wrote a police report; correct?

O: Yes.

DS: Did you tell the truth in that?

O: Yes.

DS: Well, didn't you put in your police report that what you said to him was, you can call the dogs and they could search the exterior of the vehicle, is that what you put in there?

O: Yes.

DS: Is that what you told him?

O: *I don't recall exactly what I told him.*

DS: Well, you put in your police report that you said that the dogs would search the exterior of the vehicle; right?

O: Yes.

DS: But what you actually said to him was, that the dogs would come and tear the shit out of his upholstery; isn't that true?

O: *I don't remember.*

(p. 43-44)

Audiotape played.

DS: Well, you said you recognized the conversation; correct?

O: Yes.  
DS: Is there anything different about that than there was about the conversation that night?  
O: Whatever was said on the tape, that's what I said.  
....  
DS: Do you see anything in the transcript that isn't correct?  
O: No.  
(p. 52)

DS: You told Mr. Sternisha that you would have dogs come out and tear the shit out of his upholstery; correct?

...  
DS: You told him that; correct?  
O: According to the tape and transcript, yes.  
DS: Are the tape and transcript accurate?  
O: I believe so.  
DS: *So, you told him that; correct?*  
O: *Yes.*  
DS: *You didn't put that in your police report, did you?*  
O: *No.*  
DS: *Why not?*  
O: *I didn't think it was relevant.*

...  
DS: Let me see, you put that you would have the dogs come out and search the exterior of his car; correct?  
O: Correct.  
DS: Why did you put "exterior" if it wasn't relevant whether they were going to tear the upholstery up or whether they were going to sniff the exterior?  
O: Because when the dogs come out to do a search of the vehicle, initially they search the exterior of the vehicle.  
(p. 81-82.)

Testimony 11/2/06

DS: Okay. But when you put in something that you said, that you actually said, for example, you put in there that, "I told him that I was going to have a narcotics dog respond to my location to respond to the exterior of the vehicle to look for contraband," that's not actually what you said, is it?

...

DS: Let me ask this: Is that what you said to him?

O: No.

DS: When you put that in there, the events were fresh in your mind, correct?

O: Yeah.

DS: *So you knew what you said to him at the time you prepared this police report; is that fair to say?*

O: *At that time, yes.*

DS: *And you decided to put in something else, something you did not say to him; is that correct?*

...

O: *Correct.*

DS: Why would you put in there something that you didn't say to him?

O: I put in there what I was going to do.

DS: But you – what you put in your report was, I told him – "I told Sternisha, I was going to have a narcotics dog respond to my location to do an exterior search of the vehicle to look for contraband."

So what you were saying in your report is what you told him, not what you were going to do, isn't that true?

O: I told him what I was prepared to do, yes.

...

DS: You – What did you put in your report? Did you put in your report what you said to him?

O: I did not put in my report my exact words. I put in my report what I was prepared to do.

DS: Why did you do that, instead of putting in your report what you said to him?

...

O: I didn't feel the need to put in there exactly what was said.  
(vol. 2; p. 6-7)

**PATROL DIVISION / WATCH ROSTER**  
**WATCH I**

DATE	DAY COURT	BIKE COURT	
Apr 18, 2006	6-14-06		
DAY	MUNI COURT	BIKE LECTURE	
Tuesday	6-14-06		

DISPATCH					
	PIN	DISPATCHER	SKILLS	HOURS	
	610	MASSE		2000-0600	

CIN01009

INCIDENT INQUIRY

Thu, Mar 8, 2007, 3:12 PM

FOR: 606

Page: 1

Recv: 041706 2251

F/Address: RECREATION / MAGNOLIA

Type: P/TS TRAFFIC STOP

Reference:

City: FV

Cross:

Beat: 1 Pol Dst: 33 Fir Dst: 933 Map Guide: C3 Census:

How Recv: OF

Reporting Party's:

Priority: 0

Address:

Dispo: ARR

Phone:

hh mm

Time Stamps:	Received:	22:51	hhhh mm ss	hhhh mm ss
	Dispatch:	22:51	:....	RC/AS: :....
	Enroute:	22:51	:00:00	DI/AS: :00:00
	At Scene:	22:51	:00:00	DI/CC: 4:28:02
	Close:	03:19	4:28:02	

## Comments:

617	23:40:00	CASE NUMBER = CR-06-00001782 (FV)
617	23:40:00	CASE NUMBER = AR-06-00000566 (FV)
JOB	22:51:00	INCIDENT NUMBER: 6FV0014557
617	22:51:00	/5KEJ965
617	22:54:00	B7015596
617	23:20:00	10-15
617	23:31:00	HS 11378 / 11379
610	03:19:00	CLOSED DISPO : ARRESTED
610	03:19:00	GONZALEZ

## History:

Act/Empl	Date	Time	Cmd	Type	Location/Comments	User
	04/17	22:51:32	FC	TS	REC CI	617
101/241	04/17	22:51:32	TS	TS	REC CI	/5KEJ965 617
101/241	04/17	22:51:32	SC	TS	REC CI	/5KEJ965 617
101/241	04/17	22:51:32	QL	TS	5KEJ965 CA	617
	04/17	22:51:51	MR	TS	AD:REC CI	617
	04/17	22:51:51	MR	TS	BT:	617
	04/17	22:51:51	MR	TS	PD:	617
	04/17	22:51:51	MR	TS	FD:	617
	04/17	22:51:51	MR	TS	MG:	617
110/231	04/17	22:53:40	DC	TS	RECREATION / MAGNOLIA	617
101/241	04/17	22:54:05	SC	TS	REC CI	/5KEJ965 617
101/241	04/17	22:54:05	QO	TS	B7015596 CA	617
101/241	04/17	22:54:19	SC	TS	REC CI	/5KEJ965 617
101/241	04/17	22:54:19	QN	TS	STERNISHA MARK 19800402 CA M	617
101/241	04/17	22:54:31	SC	TS	REC CI	/5KEJ965 617
101/241	04/17	22:54:31	QN	TS	STERNISHA MARK 19800402 CA M	617
110/231	04/17	22:58:36	AC	TS	RECREATION / MAGNOLIA	617
110/231	04/17	23:03:44	SC	TS	RECREATION / MAGNOLIA	617
101/241	04/17	23:03:47	SC	TS	RECREATION / MAGNOLIA	617
110/231	04/17	23:29:12	SC	TS	RECREATION / MAGNOLIA	617
110/231	04/17	23:29:16	CC	TS	RECREATION / MAGNOLIA	617
101/241	04/17	23:31:33	SC	TS	EP ENR STATION W/PRISONER	617
101/241	04/17	23:35:59	SC	TS	ST STATION	617
	04/17	23:40:44	GC		CR0600001782FV	617
	04/17	23:40:45	GC		AR0600000566FV	617
101/241	04/18	01:13:25	SC	TS	ST STATION	610
101/241	04/18	02:39:47	SC	TS	EO ENR OCJ W/PRISONER	610
101/241	04/18	02:47:03	SC	TS	EO ENR OCJ W/PRISONER	610

CIN01009

INCIDENT INQUIRY

Thu, Mar 8, 2007, 3:12 PM

FOR: 606

Page: 2

101/241  
11/241  
11/241  
-EOR-

04/18 02:47:03	QO TS	B7015596 CA	610
04/18 02:57:21	SC TS	EO ENR OCJ W/PRISONER	610
04/18 03:19:34	CC TS	EO ENR OCJ W/PRISONER	610

**Fountain Valley Police Department**  
**Property Voucher Form**

Case Number: 245384519787		Officer: 241 GONZALEZ, J.		
Case Number: 06-1782		Crime Code: HS11378 Description: POSS CNTL SUB FOR SALE		
Date of DR: 04/17/2006		Time of DR: 22:51		
Suspect: 1) MARK STERNISHA		2) 3)		
Victim: 1) STATE OF CA		2) 3)		
Location found: GONZALEZ/241				
Date Booked: 04/19/2006		Time Booked: 05:29		
Property EVIDENCE	Item Number 7	Item NARC-MJ	Item Description MARIJUANA	Place Barcode Label Here
	Manufacturer	Model	Serial	
Color BLACK BAG	Additional info GREEN LEAFY SUBSTANCE			
Premises/Area taken from/Notes BLACK BAG			Location stored 36	Value 0.00
Property EVIDENCE	Item Number 8	Item PARA	Item Description NARCOTIC PARAPHERNALIA	Place Barcode Label Here
	Manufacturer	Model	Serial	
Color MULTI	Additional info USED MARIJUANA SMOKING PIPE			
Premises/Area taken from/Notes BLACK BAG			Location stored 36	Value 0.00
Property EVIDENCE	Item Number 9	Item PARA	Item Description NARCOTIC PARAPHERNALIA	Place Barcode Label Here
	Manufacturer	Model	Serial	
Color BLACK BAG	Additional info STRAW, 2 SMALL CONTAINERS, FINGER GLOVES			
Premises/Area taken from/Notes BLACK BAG			Location stored 36	Value 0.00

**Fountain Valley Police Department**  
**Property Voucher Form**

Voucher Number: <b>245384519787</b>			Officer: <b>241</b>	<b>GONZALEZ, J.</b>	
Case Number: <b>06-1782</b>		Crime Code: <b>HS11378</b>	Description: <b>POSS CNTL SUB FOR SALE</b>		
Date of DR: <b>04/17/2006</b>		Time of DR: <b>22:51</b>			
Suspect: 1) <b>MARK STERNISHA</b>		2)	3)		
Victim: 1) <b>STATE OF CA</b>		2)	3)		
Location found: <b>GONZALEZ/241</b>					
Date Booked: <b>04/19/2006</b>		Time Booked: <b>05:29</b>			
Property EVIDENCE	Item Number <b>10</b>	Item <b>NARC-MT</b>	Item Description <b>METHAMPHETAMINE</b>		Place Barcode Label Here
Manufacturer		Model	Serial	Cal/Gag	
Color	Additional info <b>WHITE CRYSTALLIZED SUBSTANCE</b>				
<b>BLACK BAG</b>	Premises/Area taken from/Notes			<b>Location stored 36</b>	<b>Value 0.00</b>
Property SAFEKEEP	Item Number <b>11</b>	Item <b>OTHER</b>	Item Description <b>MISCELLANEOUS ITEMS</b>		Place Barcode Label Here
Manufacturer		Model	Serial	Cal/Gag	
Color <b>BLK</b>	Additional info <b>BLACK BOOK BAG</b>				
<b>SUSPECT VEHICLE</b>	Premises/Area taken from/Notes			<b>Location stored 36</b>	<b>Value 0.00</b>

APPROVED \_\_\_\_\_

*dh*

ID \_\_\_\_\_

*241*

**Fountain Valley Police Department**  
**SEIZED/RECOVERED MONEY MEMORANDUM**

TO SUPERVISOR, CENTRAL PROPERTY UNIT  
 FROM NAME GONZALEZ, J. ID 241  
 NAME ID  
 SUBJECT SEIZED/RECOVERED MONEY  
 DATE 04/17/2006  
 Voucher 245384519787 Case 06-1782

CURRENCY			COINS		
NUMBER	DENOMINATIONS	AMOUNT	NUMBER	DENOMINATIONS	AMOUNT
0	100.00	\$0.00	0	1.00	\$0.00
0	50.00	\$0.00	0	.50	\$0.00
3	20.00	\$60.00	0	.25	\$0.00
3	10.00	\$30.00	0	.10	\$0.00
1	5.00	\$5.00	0	.05	\$0.00
0	2.00	\$0.00	0	.01	\$0.00
3	1.00	\$3.00			
TOTAL CURRENCY		\$98.00	TOTAL COINS		\$0.00
TOTAL CASH		\$98.00			
			\$0.00		
GRAND TOTAL		\$98.00	\$0.00		

The above money was seized/recovered from:

Defendant      Victim      Unidentified money found by  
 Name: Last **STERNISHA**      First **MARK**      MI **A**  
 Address:

To be processed as follows:

Retained in Safe Deposit Box for use as evidence  
 Deposited

# New Century Title Company

NewCenturyTitle.com  
A Member of the Capital Title Group of Companies

NASDAQ: CTGI

## People ~~One~~

Dedicated to your success through a committed partnership of providing  
the highest quality results to exceed your expectations.

Robert → [REDACTED]

Tee Kee → [REDACTED]

CPG → [REDACTED]

Dale → [REDACTED]

Mile B → [REDACTED]

Jen → [REDACTED] +110 3/25 3/26

Lil Eric → [REDACTED] 50+55 shift + (75) + 25q

150 people  
875 gave me  
750 didn't  
-75

[REDACTED] worked 50 → 5

Shanie → 20  
Michelle → 70

[REDACTED] 7/5 tomorrow

200 E. Sandpointe • Suite 800 • Santa Ana • CA 92707

ORANGE COUNTY SHERIFF - CORONER DEPARTMENT  
FORENSIC SCIENCE SERVICES  
Controlled Substance Report



R234699  
Drug

FR# 06-46980

Name(s): Sternisha, Mark  
Submitting Agency: Fountain Valley Police Department  
Charges: 11378 HS  
Investigator: Gonzalez

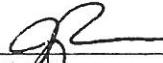
Agency Case #: 06-01782  
Date of Offense: 04/17/2006

AGENCY EVIDENCE LIST

FSS# 1 [Sternisha, Mark] White crystallized substance

ANALYTICAL RESULTS

FSS# 1 Off-white crystalline substance from one of three zip lock bags, net weight of 939 milligrams, contains METHAMPHETAMINE.

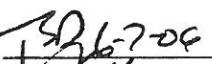
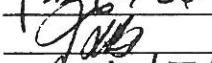
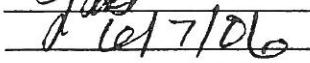
Examiner:   
Justin Paxon  
Forensic Scientist

06/07/2006

Date

Report Sent To:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
By: \_\_\_\_\_ Date: \_\_\_\_\_  
By: \_\_\_\_\_ Date: \_\_\_\_\_

Review By:   
LIMS By:   
LIMS Date: 

Forensics: (714) 834-4510

# FOUNTAIN VALLEY POLICE DEPARTMENT

## Crime Lab Work Request

DR NUMBER:	06-1782
CRIME:	1318 HS
DATE:	4-17-06

**TYPE OF WORK REQUESTED:**

PHOTO     FINGERPRINT COMPARISON  
 VIDEO     OTH: \_\_\_\_\_

PHOTO LINE-UP  
 ANALYSIS

TAPE DUPLICATION  
 LATENT EXAMINATION

**SUSPECT(S):****ARREST NUMBER(S):**

MARIL ALAN STERNISHA

**EVIDENCE LOCATION:**  PROPERTY     CSI LOCKER     OTHER LOCATION: \_\_\_\_\_**REQUESTED BY OFFICER:**

J. H. GUERRA

**ID #:**

753

**DATE NEEDED:**

By 9/22/06.

**INSTRUCTIONS OR ITEMS TO BE WORKED:**

Copy of officer tape # (06143) booked

**OFFICER ... PLEASE FORWARD ORIGINAL (WHITE COPY) TO CRIME LAB & YELLOW COPY TO DR JACKET.****DISPOSITION BY CRIME LAB:**

- 1 of 1 tapes copied

**REPORT BY I.D. TECH:**

Abbranson

**ID #:**

256

**DATE COMPLETED:**

9/21/06

**TIME COMPLETED:**

14:00



OFFICE OF THE  
**DISTRICT ATTORNEY**  
ORANGE COUNTY, CALIFORNIA  
TONY RACKAUCKAS, DISTRICT ATTORNEY

09/22/06/PT

**Discovery Request**

September 7, 2006

CHARLES MIDDLETON  
CHIEF ASSISTANT D.A.

Deleted: <sp>

JIM TANIZAKI  
SENIOR ASSISTANT D.A.  
FELONY OPERATIONS 1

WILLIAM FECCIA  
SENIOR ASSISTANT D.A.  
FELONY OPERATIONS 2

DAVID HIMELSON  
SENIOR ASSISTANT D.A.  
BRANCH COURT OPERATIONS

DONALD BLANKENSHIP  
CHIEF  
BUREAU OF INVESTIGATION

LISA BOHAN - JOHNSTON  
DIRECTOR  
ADMINISTRATIVE SERVICES

To: **FOUNTAIN VALLEY POLICE DEPT**

From: HUMBERTO VALDEZ -DISCOVERY CLERK  
WEST COURT  
(714) 896-7279  
Fax: (714) 896-7236

Subject: **MARK ALAN STERNISHA** 04/02/80

DR# FVPD 06-1782  
DA/CRT # 06F04733/06WF1057  
DOV 04/17/06 HS 11378

Please provide the following items as discovery:

ANY/ALL AUDIO-INCLUDING ANY AUDIO OF DEF, WIT(S) TAPE #06143.  
CITIZEN CONTACT TAPES -  
DISPATCH CALL, DISPATCH LOG - DISPATCH LOG PROVIDED.  
CAR VIDEO-CAR PVS - NO PATROL VIDEOS.  
ANY/ALL VIDEO - NO VIDEO TAPES.

Needed by: 09/22/06/PT  
Per - DDA YU

"DISCOVERY  
PROVIDED  
TO D.A. 9/22/06.

Thank you!

(h:\discovery clerk\discovery request form) 11/00

RI# 5446

REPLY TO: ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE

WEB PAGE: [www.oc.ca.gov/da](http://www.oc.ca.gov/da)

MAIN OFFICE  
401 CIVIC CENTER DR. W.  
P.O. BOX 808  
ORANGE, CA 92701  
(714) 834-3600

NORTH OFFICE  
1275 N. BERKELEY AVE.  
FULLERTON, CA 92631  
(714) 772-4460

WEST OFFICE  
8141 13TH STREET  
WESTMINSTER, CA 92683  
(714) 896-7251

SOUTH OFFICE  
30143 CROWN VALLEY PKWY.  
LAGUNA NIGUEL, CA 92687  
(949) 249-5028

HARBOR OFFICE  
4801 JAMBOREE BLVD.  
NEWPORT BEACH, CA 92663  
(949) 476-4650

JUVENILE OFFICE  
341 CITY DRIVE SOUTH  
ORANGE, CA 92698  
(714) 833-7224

CENTRAL OFFICE  
700 CIVIL CENTER DR. W.  
PLAZA, SUITE 100  
SANTA ANA, CA 92701  
(714) 834-3600

6



OFFICE OF THE

# DISTRICT ATTORNEY

ORANGE COUNTY, CALIFORNIA

TONY RACKAUCKAS, DISTRICT ATTORNEY

CHARLES MIDDLETON  
CHIEF ASSISTANT D.A.

Deleted: <sp>

JIM TANIZAKI  
SENIOR ASSISTANT D.A.  
FELONY OPERATIONS 1

WILLIAM FECCIA  
SENIOR ASSISTANT D.A.  
FELONY OPERATIONS 2

DAVID HIMELSON  
SENIOR ASSISTANT D.A.  
BRANCH COURT OPERATIONS

DONALD BLANKENSHIP  
CHIEF  
BUREAU OF INVESTIGATION

LISA BOHAN - JOHNSTON  
DIRECTOR  
ADMINISTRATIVE SERVICES

## Discovery Request

October 12, 2006

To: FOUNTAIN VALLEY POLICE DEPT

From: HUMBERTO VALDEZ, DISTRICT ATTORNEY'S OFFICE  
WEST COURT  
(714) 896-7274  
Fax: (714) 896-7236

Subject: MARK ALAN STERNISHA 04/02/80

DR# FVPD 06-1782  
DA/CRT # 06F04733  
DOV 04/17/06 HS 11378

Please provide the following items as discovery:

911 TAPE  
DISPATCH TAPE  
DISPATCH CALL PRINTOUT FROM 22:30-23:40

Needed by: 10/25/06/PH  
Per - DDA SCHNEIDER

*This call is not generated until 22:51 hrs.  
Copy of this call log attached.*

Thank you!

(h:\discovery clerk\discovery request form) 11/00

RI# 5684

REPLY TO: ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE

MAIN OFFICE  
401 CIVIC CENTER DR. W  
P.O. BOX 808  
ORANGE, CA 92701  
(714) 834-3600

NORTH OFFICE  
1275 N. BERKELEY AVE.  
FULLERTON, CA 92831  
(714) 773-4480

WEST OFFICE  
8141 13TH STREET  
WESTMINSTER, CA 92683  
(714) 896-7281

SOUTH OFFICE  
30143 CROWN VALLEY PKWY.  
LAGUNA NIGUEL, CA 92677  
(949) 249-5028

HARBOR OFFICE  
4801 JAMBOREE BLVD.  
NEWPORT BEACH, 92663  
(949) 476-6530

JUVENILE OFFICE  
341 CITY DRIVE SOUTH  
ORANGE, CA 92663  
(714) 835-7824

CENTRAL OFFICE  
700 CIVIC CENTER DR. W  
P.O. BOX 808  
SANTA ANA, CA 92701  
(714) 834-3600

WEB PAGE: [www.ooc.ca.gov/da](http://www.ooc.ca.gov/da)

"DISCOVERY  
PROVIDED  
TO D.A. 10/24

0 6 - 1 7 8 2

## OFFICER

- EPO FAXED
- CLETS ENTRIES ACCURATE

ARRESTS:  INK PRINTS  LIVE SCAN

## TRAFFIC SUPERVISOR

- T/C FOLLOW UP INV
- CROSSROADS ENTRY

## WATCH COMMANDER

- BRIEFING
- GANG RELATED
- HATE CRIME
- 293 PC
- CRIME GUN (11108.3 PC)

-GUN USED IN A CRIME?  yes  no

-GUN SUSPECTED OF BEING  
USED IN A CRIME?  yes  no

-GUN ILLEGALLY POSSESSED?  yes  no

- RECORDS, FAX INCIDENT REPORT TO:  
**PROJECT SAFE NEIGHBORHOODS**  
FAX #: 714 338-3561

APPROVED BY:

X ZH ID# 207

## RECORDS

PREP FOR COURT BY:

DATE: 04/19/06 ID#: 814

ADULTS: 1

JUVENILES: \_\_\_\_\_

CODED BY: ID# \_\_\_\_\_

RMS ENTRY BY: ID# \_\_\_\_\_

SCANNED BY: ID# 810

### VEHICLE STORAGE LETTER

SENT TO R/O ON: \_\_\_\_\_

SENT TO L/O ON: \_\_\_\_\_

SENT TO DOJ ON: \_\_\_\_\_

### DISTRIBUTION OF COPIES

(Indicate address, email, name, fax #)

ABC

\_\_\_\_\_

CORONER

\_\_\_\_\_

JUVENILE HALL

\_\_\_\_\_

OTHERS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Fountain Valley Police Department  
10200 Slater Avenue  
Fountain Valley, California 92708  
(714) 593-4485

CONFIRM #: 95760

<input checked="" type="checkbox"/> Adult	<input type="checkbox"/> Juvenile
Time In: 2335	Out: 0235
Cell: 4	

Arrest / Booking Report

DR#	06-1782
Date	4-17-06
Time	2251

AR#	SS#	Booking #	OCN#	CII#	Other DR#			
A R R E S T E E H	06-566	552-77-8354	231500Z	1060372	22874447			
Name (Last, First Middle) <i>STERNISHA, Mark Alan</i>			AKA's —					
Sex M		Race W	D.O.B. 4-2-80	Age 26	Ht. 5-8			
Wt. 160		Hair BLK	Eyes BLK	Skin LIGHT	Birthplace CA			
Clothing <i>dark JACKET / dark PANTS</i>			Tattoos / Marks n/a					
ID# / DL#	State CA	Marital Status Single	Citizenship US	Rt/Lft Handed Rt	Occupation Law Officer			
Residence Address [REDACTED]			Apt. #	City BURBANK	Zip 91505			
Business Name / Address n/a			Suite #	City —	Zip —			
Emergency Contact / Address [REDACTED]			Apt. #	City WEST	Zip 92683			
V E H	License # 5KET965	State CA	Year 05	Make Honda	Model CIVIC			
B O O	Dispo of Vehicle JUNKED	Registered Owner Mark Sternisha			Unique Characteristics —			
K I N G	Date / Time Arrested 4-17-06/2320	Arresting Officer / ID# Gonzalez	Date / Time Booked 4-17-06/2335	Booking Officer / ID# Gonzalez	Searched By Gonzalez			
Arrest Location Recreation Gr			RD 33	Handwriting Card By —	Fingerprinted By —			
ARRESTEE'S PERSONAL PROPERTY    LOCKER #								
C H A R G E S	<input checked="" type="checkbox"/> Belt	<input type="checkbox"/> Check Book	Jewelry <i>WATCH</i>	Cash 0				
	<input type="checkbox"/> Knife	<input checked="" type="checkbox"/> Keys	Other <i>CDL</i>	Verified By JH				
	<input type="checkbox"/> Lighter	<input type="checkbox"/> Glasses						
	<input checked="" type="checkbox"/> Billfold							
	Property Inventoried By		Property Released By	Arrested Receipt of Property X				
C H A R G E S	Code Violation	M/F	CTS	Description	Code Violation	M/F	CTS	Description
	11378 HS	P	1	[REDACTED] SALS	11364 HS	M	1	NAIL SPA
	11379 HS	F	1	[REDACTED] TRANSPORT				
	11357(b)HS	M	1					
	<input type="checkbox"/> Additional Charges							
J U V I E	Disposition of Arrestee <i>OCS</i>							
	Father / Stepfather		Address			Res. Phone	Alt. Phone	
	Mother / Stepmother		Address			Res. Phone	Alt. Phone	
	Other Guardian		Address			Res. Phone	Alt. Phone	
	Adult Notified: Time: By Whom:			Miranda Date / Time: By Whom:			School	
P H O N E	Signature of Arrestee <i>Mark Sternisha</i>							
	<input type="checkbox"/> I Do Not Request Any Telephone Calls At This Time.							
	Date 4-18-06 Time 0225							
	Calls Desired <i>31</i>	Calls Completed <i>1</i>	Witnessing Officer / ID# <i>Gonzalez/241</i>	Location Of Calls	Fountain Valley Police Department			
				<input type="checkbox"/> Orange County Jail			<input type="checkbox"/> Other:	
N E	Number Called (1) <i>88-557-1324</i>		Number Called (2)			Number Called (3)		
PG	of 2	Officer <i>Gonzalez</i>	ID # 241	Logged [REDACTED]	Approved <i>[Signature]</i>	ID # 207		

HAIR LENGTH	Q21	FACIAL HAIR	Q26	GEN. APPEARANCE	Q30	FI#	ARR# 06-0500	DR# 06-1782
<input type="checkbox"/> 01 BALD		<input type="checkbox"/> 01 BEARD-UNKEMPT		<input type="checkbox"/> 01 MILITARY		TATTOOS / MARKS / SCARS		
<input type="checkbox"/> 02 COLLAR		<input type="checkbox"/> 02 BEARD-SHORT		<input type="checkbox"/> 02 CONSERVATIVE		Q36 LOCATION / DESCRIPTION		
<input type="checkbox"/> 03 RECEDING		<input type="checkbox"/> 03 BEARD-FULL		<input type="checkbox"/> 03 WELL GROOMED		<input type="checkbox"/> 02 FACE		
SHAVED		<input checked="" type="checkbox"/> 04 CLEAN SHAVEN		<input type="checkbox"/> 04 FADDISH / ALTERNATIVE		<input type="checkbox"/> 03 FINGER		
SHORT				<input type="checkbox"/> 05 CASUAL		<input type="checkbox"/> 04 NECK		
06 SHOULDER				<input type="checkbox"/> 06 GANG-LIKE		<input type="checkbox"/> 05 R / SHOULDER		
07 LONG				<input type="checkbox"/> 07 DIRTY / UNKEMPT		<input type="checkbox"/> 06 L / SHOULDER		
98 OTHER _____				<input type="checkbox"/> 98 OTHER _____		<input type="checkbox"/> 07 R / ARM		
99 UNKNOWN				<input type="checkbox"/> 99 UNKNOWN		<input type="checkbox"/> 08 L / ARM		
HAIR TYPE	Q22					<input type="checkbox"/> 09 R / HAND		
<input checked="" type="checkbox"/> 01 COARSE						<input type="checkbox"/> 10 L / HAND		
<input type="checkbox"/> 02 FINE						<input type="checkbox"/> 11 R / LEG		
<input type="checkbox"/> 03 THICK						<input type="checkbox"/> 12 L / LEG		
<input type="checkbox"/> 04 THINNING						<input type="checkbox"/> 13 TORSO-FRONT		
<input type="checkbox"/> 05 WIG						<input type="checkbox"/> 14 TORSO-BACK		
<input type="checkbox"/> 06 WIRY						<input type="checkbox"/> 15 SCAR FEATURE		
98 OTHER _____						<input type="checkbox"/> 16 MARK FEATURE		
99 UNKNOWN						<input type="checkbox"/> 17 T / GANG LOGO / SYMBOLS		
HAIR CONDITION	Q23					<input type="checkbox"/> 18 T / NAME / INITIALS / WORD		
<input checked="" type="checkbox"/> 01 CLEAN						<input type="checkbox"/> 19 T / SLOGAN PHRASE		
<input type="checkbox"/> 02 DIRTY						<input type="checkbox"/> 20 T / ANIMAL		
<input type="checkbox"/> 03 GREASY						<input type="checkbox"/> 21 T / FLOWERS		
<input type="checkbox"/> 04 MATTED						<input type="checkbox"/> 22 T / WOMAN		
98 OTHER _____						<input type="checkbox"/> 23 T / MILITARY SYMBOLS		
99 UNKNOWN						<input type="checkbox"/> 24 T / SCENES MURALS		
HAIR STYLE	Q24					<input type="checkbox"/> 25 T / SKULL-BONES		
<input type="checkbox"/> 01 AFRO / NATURAL						<input type="checkbox"/> 26 T / ASIAN THEME		
<input type="checkbox"/> 02 BRAIDED						<input type="checkbox"/> 27 T / MOTORCYCLE		
<input type="checkbox"/> 03 BUSHY						<input type="checkbox"/> 28 T / SATANIC		
<input checked="" type="checkbox"/> 04 BUTCH						<input type="checkbox"/> 29 T / RELIGIOUS		
COMBED BACK						<input type="checkbox"/> 30 T / FIREARMS		
J6 CORN-ROW						<input type="checkbox"/> 31 T / KNIVES		
07 CURLERS						<input type="checkbox"/> 32 T / PRISON-JAIL THEME		
08 CURLY						<input type="checkbox"/> 98 OTHER _____		
09 FLAT TOP						<input type="checkbox"/> 99 UNKNOWN		
10 MILITARY						SUBJECT'S STATUS		
11 MOHAWK						Q40		
12 PONY TAIL						<input type="checkbox"/> 01 GANG MEMBER OF _____		
13 PUNK						<input type="checkbox"/> 02 ON PROBATION _____		
14 STRAIGHT						<input type="checkbox"/> 03 ON PAROLE _____		
15 STYLED						<input type="checkbox"/> 04 290 PC REGISTRANT _____		
16 CENTER PARTED						<input type="checkbox"/> 05 11590 HS REGISTRANT _____		
17 LEFT PARTED						<input type="checkbox"/> 98 OTHER _____		
18 RIGHT PARTED						<input type="checkbox"/> 99 UNKNOWN		
19 UNKEMPT						WEAPONS		
20 WAVY						Q37 WEAPON FEATURE Q38		
21 WIDOWS PEAK						<input type="checkbox"/> 01 CLUB		
22 CHEMICAL PROCESSED						<input type="checkbox"/> 02 HAND GUN		
23 TEASER						<input type="checkbox"/> 03 OTHER UNK GUN		
98 OTHER _____						<input type="checkbox"/> 04 RIFLE		
99 UNKNOWN						<input type="checkbox"/> 05 SHOT GUN		
SPEECH / VOICE	Q25					<input type="checkbox"/> 06 TOY GUN		
<input type="checkbox"/> 01 EASTERN U.S. ACCENT						<input type="checkbox"/> 07 SIMULATED		
<input type="checkbox"/> 02 SOUTHERN U.S. ACCENT						<input type="checkbox"/> 08 POCKET KNIFE		
<input type="checkbox"/> 03 FOREIGN ACCENT						<input type="checkbox"/> 09 BUTCHER KNIFE		
04 DEEP						<input type="checkbox"/> 10 OTH CUTTING INSTRUM		
05 DISGUISED						<input type="checkbox"/> 11 HANDS / FEET		
HIGH PITCHED						<input type="checkbox"/> 12 BODILY FORCE		
SLURRED						<input type="checkbox"/> 13 STRANGULATION		
SOFT						<input type="checkbox"/> 14 FIRE IRON		
SPEECH IMPEDIMENT						<input type="checkbox"/> 15 VEHICLE		
98 OTHER _____						<input type="checkbox"/> 16 EXPLOSIVE DEVICE		
99 UNKNOWN						<input type="checkbox"/> 98 OTHER _____		
RT / LT HANDED	Q34					HATE CRIME ARREST Q39		
<input checked="" type="checkbox"/> 01 RIGHT HANDED						<input checked="" type="checkbox"/> 01 DNA		
<input type="checkbox"/> 02 LEFT HANDED						<input type="checkbox"/> 02 YES		
<input type="checkbox"/> 03 AMBIDEXTROUS						<input type="checkbox"/> 03 NO		
98 OTHER _____								
99 UNKNOWN								

Medical Temp. No: \_\_\_\_\_

ORANGE COUNTY JAIL  
Santa Ana, California

OR JAIL USE ONLY

PLEASE PRINT OR TYPE

X PRE-BOOKING RECORD

BOOKING NUMBER <b>L31502</b>	RECEIVING OFFICER <b>16274</b>	DATE <b>4-18-04 0305</b>	HOUSING LOCATION	BOOKING DEPUTY 1 #
SUPPLEMENTAL WARRANTS	HOW MANY	CAUTIONARY CODES <input type="checkbox"/> ESC <input type="checkbox"/> VIO <input type="checkbox"/> SUI <input type="checkbox"/> OTHER		
<input checked="" type="checkbox"/> STREET BOOKING <b>F</b>	<input type="checkbox"/> WARRANT	<input type="checkbox"/> COURT ORDER	<input type="checkbox"/> BOOK AND RELEASE	<input type="checkbox"/> ENROUTE
<input type="checkbox"/> QR/SELF	<input type="checkbox"/> QR/OR	<input type="checkbox"/> QR/TR - DATE	<input type="checkbox"/> LINE UP	
<input type="checkbox"/> COMMT -		<input type="checkbox"/> PC 853.6	OTHER <input type="checkbox"/> SPECIFY	

## ARRESTING OR TRANSPORTING OFFICER COMPLETE

NAME: LAST <b>STEARNISHA, Mark Alan</b>	FIRST	MIDDLE	ARRESTING AGENCY <b>FVPD</b>	AGENCY CASE # <b>06-1782</b>
--	-------	--------	---------------------------------	---------------------------------

J.A.

EX <b>M</b>	RACE <b>W</b>	HEIGHT <b>5-8</b>	WEIGHT <b>160</b>	HAIR <b>BLO</b>	EYES <b>BLU</b>	PLACE OF BIRTH <b>CA</b>	CITIZENSHIP <b>US</b>	BIRTHDATE <b>4-2-80</b>
----------------	------------------	----------------------	----------------------	--------------------	--------------------	-----------------------------	--------------------------	----------------------------

ILL OR INJURED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	TYPE OF ILLNESS OR INJURY					DATE/TIME ARRESTED <b>4-17-04 / 2320</b>		
---	---------------------------	--	--	--	--	---	--	--

SOCIAL SECURITY NO. [REDACTED]	MARITAL STATUS <b>SINGLE</b>	SCARS, MARKS TATTOOS, EMPS <b>nl/A</b>			OCCUPATION <b>LOAN OFFICER</b>		
-----------------------------------	---------------------------------	---	--	--	-----------------------------------	--	--

DRIVER'S LIC. NO. [REDACTED]	STATE <b>CA</b>				TELEPHONE NO. [REDACTED]		
---------------------------------	--------------------	--	--	--	-----------------------------	--	--

ADDRESS <b>3602 Chamber Blvd</b>	STATE <b>CA</b>	ZIP <b>91505</b>				
-------------------------------------	--------------------	---------------------	--	--	--	--

NEXT OF KIN NAME [REDACTED]				TELEPHONE NO. [REDACTED]	RELATIONSHIP <b>MOTTEL</b>	
--------------------------------	--	--	--	-----------------------------	-------------------------------	--

ADDRESS [REDACTED]	CITY <b>WESTMINSTER</b>	STATE <b>CA</b>	ZIP [REDACTED]
-----------------------	----------------------------	--------------------	-------------------

EMPLOYED BY <b>MA</b>	BUSINESS ADDRESS					
--------------------------	------------------	--	--	--	--	--

JURISDICTION <b>WTC</b>	WARRANT AND/OR CASE NUMBER			BAIL <b>25,000</b>		
----------------------------	----------------------------	--	--	-----------------------	--	--

CHARGE 1 <b>11378 HS</b>	CHARGE 4 <b>11364 HS</b>					
-----------------------------	-----------------------------	--	--	--	--	--

CHARGE 2 <b>11379 HS</b>	CHARGE 5					
-----------------------------	----------	--	--	--	--	--

CHARGE 3 <b>11357 (b) HS</b>	CHARGE 6					
---------------------------------	----------	--	--	--	--	--

OFFICER'S ADDITIONAL INFORMATION/CHECK BOX IF YOU BELIEVE THE INMATE WILL REQUIRE SPECIAL MANAGEMENT.						
MEDICAL	MENTAL	INTOXICATED	PROTECTIVE CUSTODY	HIGH SECURITY	OTHER	

ARRESTING OFFICER <b>GONZALEZ</b>	DR NO.VGRID <b>1# 241</b>
--------------------------------------	------------------------------

PERMISSION TO USE TELEPHONE AFTER ARREST		(Pursuant to Penal code Section 851.5)
have been given the opportunity to make three (3) FREE telephone calls within the LOCAL DIALING area, or at MY OWN EXPENSE if OUTSIDE the local dialing area.		

none calls DESIRED <b>3</b>	RECORD OF TELEPHONE CALLS: Telephone calls COMPLETED <b>1</b>
--------------------------------	---

Location <b>FVPD</b>	Date <b>4-18-04</b>	Time <b>0225</b>
-------------------------	------------------------	---------------------

Witnessing Officer <b>GONZALEZ</b>	Badge # <b>241</b>	Agency <b>FVPD</b>
---------------------------------------	-----------------------	-----------------------

OCDA PRA RESPONSE - RUBINS JULY 2019 0475  
SIGNATURE

13

# PROPERTY INVENTORY RECEIPT

**THIS FORM MUST BE COMPLETED ON ALL ORANGE COUNTY JAIL BOOKINGS.**

ADDED AREAS ARE FOR I.R.C. USE ONLY

C. BOOKING NUMBER: 1101

DATE/TIME: 10/17/19

NAME: Espinosa, Alvaro Alan  
LAST  FIRST  MIDDLE

DOB: 4/2/80

ARRESTING AGENCY: FBI COURT: LJJC ARRESTING OFFICER: Gonzales #241

MONEY: \$ 0

RECEIVED: \$ 0

RECEIVED BY: PAGE #5704

This form is to be completed in the presence of the arrestee. List all items by amount and color. If property is not removed, indicate RETAINED in appropriate box. List jewelry by either yellow or white metal, indicate color of stones only. Complete even if NO PROPERTY is received.

	VERIFIED/I.R.C.	YELLOW METAL	WHITE METAL	VERIFIED/I.R.C.
ELT	<input checked="" type="checkbox"/>	EARRINGS		
NIFE	<input checked="" type="checkbox"/>	CHARMS		
HECKBOOK	<input checked="" type="checkbox"/>	CHECKS		
ILLFOLD	<input checked="" type="checkbox"/>	BRACELET		
ILASSES	<input checked="" type="checkbox"/>	RINGS		
EYES	<input checked="" type="checkbox"/>	NECK CHAIN		
VATCH	<input checked="" type="checkbox"/>	LIGHTER		

NON-SCANNABLE PROPERTY (Bulk property will NOT be accepted):

ALL

PROPERTY RELEASED: \_\_\_\_\_

DATE/TIME: \_\_\_\_\_

RELEASED TO: \_\_\_\_\_

PRINT NAME/SIGNATURE

ITEMS RETAINED BY ARRESTING AGENCY, (EVIDENCE OR SAFEKEEPING):

INVENTORY OFFICER: J. Gonzales #241 PRINT NAME: #241 AGENCY: FBI COURT: LJJC  
SIGNATURE & BADGE #: J. Gonzales #241 DATE/TIME: 10/17/19 / 10:00

I HAVE REVIEWED THIS INVENTORY AND IT ACCURATELY REFLECTS THE PROPERTY IN MY POSSESSION AT THIS TIME.

ARRESTEE'S SIGNATURE: Alvaro Alan Espinosa

VERIFIED BY: PAGE #5704

## MONEY/PROPERTY TRANSFER RECORD

TO BE COMPLETED ON ALL AGENCY-TO-AGENCY TRANSFERS/SIGNATURE INDICATES RECEIPT OF PROPERTY

RECEIVED BY: \_\_\_\_\_ AGENCY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_

PRINT NAME/SIGNATURE

DISCREPANCIES (IF ANY): \_\_\_\_\_

AGENCY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ PRINT NAME/SIGNATURE

AGENCY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_

DISCREPANCIES (IF ANY): \_\_\_\_\_

AGENCY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ PRINT NAME/SIGNATURE

DISCREPANCIES (IF ANY): \_\_\_\_\_

AGENCY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_

BE COMPLETED AT TIME OF RELEASE

I HAVE REVIEWED MY PROPERTY AND I ACKNOWLEDGE RECEIPT OF ALL MONEY AND ARTICLES LISTED ABOVE EXCEPT THAT PORTION THEREOF PREVIOUSLY RELEASED BY ORDER.

SIGNATURE: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_

RELEASED BY: \_\_\_\_\_ PRINT NAME/SIGNATURE AGENCY/COURT: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

OCPA PRA RESPONSE - RUBINS JULY2019 0476

(B6B)

**CRIME SUMMARY INFORMATION,  
PROBABLE CAUSE DECLARATION AND BAIL SETTING INFORMATION**

ARRESTEE (LAST, FIRST, MIDDLE)	BOOKING NO.		DR NO.
Sternisha, Mark Alan	7-15002		06-1782
ADDRESS (RESIDENCE)			D.O.B. 4-2-80
3602 Pintalen Blvd			AGE 26
BOOKING CHARGES	SUPPL. HOLDS		SEX M
11379.15, 11379.15, 11364.HS	113		
DATE / TIME OF ARREST	36-HR EXP. DATE/TIME		
4-17-04 / 2320	11-19-04 / 11:00		
ARRESTING AGENCY	STATION	ARRESTING OFFICER (S)	
FUPD	40	Gonzales / 241	

**FACTS ESTABLISHING ELEMENTS OF CRIME AND IDENTIFICATION OF ARRESTEE.** On 4-17-04 at 2320 hours, I CONTACTED SV. MARK STERNISHA, I KNEW HIM FROM ON A TRAFFIC STOP. STERNISHA WAS DRIVING HIS VEHICLE AND WAS SHOWING PROTECTIVE SYMPTOMS OF DRINK UNDER THE INFLUENCE OF A SUBSTANCE. WHILE CONVERSING WITH STERNISHA, I ASKED HIM IF HE HAD ANYTHING ILLEGAL IN THE VEHICLE AND HE TOLD ME HE MIGHT HAVE SOME "SHIT." STERNISHA GAVE ME CONSENT TO SEARCH THE VEHICLE AND ITS CONTENTS. WHILE SEARCHING THE VEHICLE, I OBSERVED A DARK BACK BAG IN THE REAR SEAT. STERNISHA ADVISED THAT NIGHT HE SOME NARCOTICS IN THE BAG AND GAVE ME CONSENT TO SEARCH IT. THE SEARCH REVEALED 3 BAGGIES OF A WHITE CRYSTALLIZED SUBSTANCE, DIGITAL SCALE, GLASS SMOKING PIPE, TWO SMALL CONTAINERS WITH A WHITE POWDER. IN SERNISHA'S WALLET, I FOUND \$40 IN CASH AND A PAPER-CLOTH SIGHT INDICATING MONEY WHICH IS OWNED TO HIM. STERNISHA ALSO HAD A CELL PHONE IN HIS POSSESSION. THE SUBSTANCE TESTED POSITIVE FOR METHAMPHETAMINE. SEE ATTACHED REPORTS, INCORPORATED HEREIN BY THIS REFERENCE. WALLET TESTED POSITIVE FOR METHAMPHETAMINE.

- (1) WEAPON DESCRIPTION:
- (2) VICTIM'S AGE: \_\_\_\_\_ VICTIM'S INJURIES: \_\_\_\_\_
- (3) VALUE OF PROP. LOSS: \$ \_\_\_\_\_ TYPE OF PROP.: \_\_\_\_\_
- (4) TYPE OF NARCOTICS: METHAMPHETAMINE QTY: 3.1 grams
- (5) WHOLESALE VALUE: \$ \_\_\_\_\_ STREET VALUE: \$ 180

DECLARE UNDER PENALTY OF PERJURY, UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY INFORMATION AND BELIEF.

EXECUTED ON 4-18-04 AT ORANGE COUNTY, CALIFORNIA, BY J. L. S. #241  
(DATE) (SIGNATURE)

ON THE BASIS OF  THE OFFICER'S DECLARATION  REPORTS REVIEWED, I HEREBY DETERMINE THAT THERE  
IS  IS NOT  PROBABLE CAUSE TO BELIEVE THIS ARRESTEE HAS COMMITTED A CRIME.

(DATE) \_\_\_\_\_ (TIME) \_\_\_\_\_ (SIGNATURE OF JUDICIAL OFFICER) 15

369-2219

White - Jail: Blue - Detention Release: Pink - Court: Goldenrod - Arresting Agency

OCDA PRA RESPONSE - RUBINS JULY2019 0477

Revised 12-15-99

## FOUNTAIN VALLEY POLICE DEPARTMENT

DR #: 06-01782

## CONTINUATION REPORT

DATE: 04-17-06

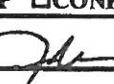
 SUPPLEMENT

TIME: 2251

On 04-17-06, at 2251 hours, I was working uniform patrol in an unmarked police unit. I was traveling eastbound Recreation Cir. from Magnolia and turned into the parking lot of, Sports Authority, 9065 Warner. As I turned into the parking lot, I observed a vehicle, license plate #5KEJ965, parked in a stall. As I drove closer, I observed the vehicle reverse out of the parking stall and drive westbound through the parking lot. I followed the vehicle as it exited the parking lot and turned eastbound on Recreation Cir. While exiting the parking lot, the vehicle did not have its turn signal on. I observed the vehicle then turn northbound from Recreation Cir. into the parking lot of 9105 Recreation Cir. Again, the vehicle did not have its turn signal on.

I followed the vehicle into the parking lot and saw a male passenger exit the vehicle and walk quickly to another vehicle which was parked in the same lot. It appeared the male passenger was attempting to get into his vehicle and leave the area to avoid contact. After dropping off the male passenger, the primary vehicle exited the parking lot and turned westbound on Recreation Cir. Again, the vehicle did not have its turn signal on, violation of CVC 22107. I followed the vehicle and saw it had a plastic security cover over the entire license plate, a violation of CVC 5201(f)(2). I activated my emergency lights and conducted a traffic stop.

I contacted the driver, Suspect Mark STERNISHA, and asked to see his driver's license and registration. STERNISHA handed me his CDL but said his registration was not in his vehicle. As I conversed with STERNISHA, I noticed he would not make eye contact with me. I saw STERNISHA had sweat on his forehead and had rapid speech. I asked STERNISHA to look at me, and he complied. As STERNISHA turned towards me, I saw his pupils were dilated. I shined my flashlight in STERNISHA's eyes to see if his pupils would react to the light, and they did not. STERNISHA was showing objective symptoms of being under the influence of a central nervous system stimulant. I asked STERNISHA if he had been arrested before, and he said, "Yes." I asked STERNISHA when he was arrested and he said in 2002. A computer check revealed STERNISHA was arrested on 6-18-04 for

REFER OTHER DR'S:	<input type="checkbox"/> CONTINUED	Tran by: KMF	Date Tran: 04-19-06
COPIES TO: <input type="checkbox"/> CHIEF <input type="checkbox"/> DETECTIVES <input type="checkbox"/> TRAFFIC <input type="checkbox"/> PATROL <input type="checkbox"/> BRIEFING <input type="checkbox"/> SIB <input type="checkbox"/> LEAP <input type="checkbox"/> CONFIDENTIAL			
Page 1 of 5	OFFICER: GONZALEZ ID#: 241	APPROVED: 	ID #: 207 

## FOUNTAIN VALLEY POLICE DEPARTMENT

## CONTINUATION REPORT

 SUPPLEMENT

DR #:	06-01782
DATE:	04-17-06
TIME:	2251

being under the influence of a controlled substance. I asked STERNISHA if he was under the influence of a narcotic, and he said, "No." I advised STERNISHA he was showing objective symptoms of being under the influence, and I asked him again if he was under the influence, and he said, "Yes." I asked STERNISHA when the last time he used narcotics was, and he said approximately 12:00 in the afternoon during his lunch break. I asked STERNISHA what type of narcotic he used and he said methamphetamine.

I asked STERNISHA if he had anything illegal in his vehicle, and he said, "No." I asked STERNISHA if I could search his vehicle for narcotics and he preferred if I did not. I advised STERNISHA that I had reasonable suspicion he might have contraband in the vehicle due to the fact that he was under the influence of a central nervous system stimulant. I told STERNISHA I was going to have a narcotics dog respond to my location to do an exterior search of the vehicle for contraband. I asked STERNISHA again if he had anything illegal in his vehicle, and he said, "There might be something in my car." I asked STERNISHA if there was a pipe in his vehicle, and he said, "I might have some shit in my car." Based on my training and experience, I know the word "shit" is a commonly-used street term for methamphetamine.

I asked STERNISHA to exit the vehicle, and he complied. I asked STERNISHA where the narcotics would be in his vehicle, and he said possibly in the driver's side door panel. While searching the vehicle, I observed a black bookbag sitting on the rear seat of the vehicle. I asked STERNISHA if this bookbag belonged to him, and he said, "Yes." I asked STERNISHA if I could look inside the bag, and he said, "Yes." While searching through the bookbag, I saw a used glass smoking pipe commonly used to smoke methamphetamine and a digital scale in the front pocket of the bag. I continued to search the front pocket of the bookbag and saw a small black pouch. I opened up the small black pouch and observed three small baggies containing a white crystallized substance, a used marijuana smoking pipe, a green leafy substance thought to be marijuana, two small empty containers which had a white residue inside, a straw which is commonly used

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Page 2 of 5	OFFICER: GONZALEZ	ID#: 241	APPROVED: <i>JL</i> ID #: 207

## FOUNTAIN VALLEY POLICE DEPARTMENT

## CONTINUATION REPORT

 SUPPLEMENT

DR #:	06-01782
DATE:	04-17-06
TIME:	2251

to package methamphetamine in small baggies. Based on my training and experience, these items are commonly found with individuals who distribute narcotics.

I continued to search the vehicle and saw what appeared to be STERNISHA's wallet on the dashboard of the vehicle. I asked STERNISHA if the wallet was his, and he said, "Yes." I asked STERNISHA if I could look inside the wallet, and he said, "Yes." While looking inside the wallet, I retrieved a folded piece of paper which was labeled "people owe" and \$98 in cash. The folded piece of paper which was marked "people owe" was a pay-owe sheet, which indicated the amount of money which was owed to STERNISHA. Based on my training and experience, pay-owe sheets are commonly used by individuals who distribute narcotics as a record for individuals who do not pay for narcotics up front. Finally, I retrieved a cell phone from STERNISHA's vehicle.

I questioned STERNISHA about the items I had found in his bookbag. I asked STERNISHA why he had an "eight ball" (3.5 grams) of a white crystallized substance, and he said he went in with another friend to buy that amount. I asked STERNISHA why he had a digital scale in his bag, and he said he weighs his narcotics when he purchases it because he has been ripped off so many times. I asked STERNISHA why he had a piece of paper in his wallet which was labeled "people owe," and he said it was not related to this incident. I advised STERNISHA that individuals who use methamphetamine do not carry these items, and it appeared he was selling narcotics. STERNISHA said he knew I was going to say that. Based on my training and experience and the items I found in STERNISHA's vehicle and bag, I placed him under arrest for H&S 11378, possession of narcotics for sales; H&S 11379, transport narcotics for sales; H&S 11364, possession of narcotics paraphernalia; and H&S 11357(b), possession of marijuana under one ounce. STERNISHA was then transported to FVPD for questioning.

While at FVPD, I read STERNISHA his Miranda Rights, which he understood and agreed to speak with me. I asked STERNISHA what he was doing in the parking lot when I drove in, and he said he and his friend were getting ready to smoke a "bowl." I asked

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Page 3 of 5	OFFICER: GONZALEZ ID#: 241	APPROVED: <i>Jd</i>	ID #: 209

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## FOUNTAIN VALLEY POLICE DEPARTMENT

## CONTINUATION REPORT

 SUPPLEMENT

DR #: 06-01782

DATE: 04-17-06

TIME: 2251

STERNISHA to clarify what he meant by smoke a "bowl," and he said he was going to smoke methamphetamine. I asked STERNISHA if the methamphetamine found inside the bag was his, and he said, "Yes." STERNISHA said he and a friend of his bought the methamphetamine together. I asked STERNISHA if the methamphetamine in the bag was for personal use, and he said, "Yes." I asked STERNISHA why he had a digital scale in his bag, and he said he had been ripped off so many times that he weighs the narcotics when he purchases it. I asked STERNISHA why he had a pay-owe sheet in his wallet, and he said it was from a long time ago. STERNISHA said he has a long history of people owing him money, and he has had that list for quite some time. I advised STERNISHA that all the items found in his bag appeared as if he was selling narcotics, and he said, "Yes. I know." I asked STERNISHA if he sells narcotics, and he said, "No." STERNISHA said he carries all those items with him because he just moved to Burbank from his previous residence in Westminster. I asked STERNISHA why he did not leave all those items at home and carry just the small amount he was going to use for the day, and he said he picked up earlier and that was the reason why he had all those items. Finally, I asked STERNISHA if I could look through his phone records in his cellular phone, and he said, "Yes."

After speaking with STERNISHA, I looked through his cellular phone records and saw some text messages which indicated he is possibly selling narcotics. On 04-15-06, at approximately 1635 hours, STERNISHA sent a text message to an individual named "Jessica." The text message read, "Will you do me a favor and welcome Jamie and prepare .5 for her for 40 Thanks. Be back in a minute. Also, a .8 for Omar, who is here on the corner. Then need to pick up again." On 04-15-06, at approximately 1504 hours, STERNISHA sent a text message to another person at (714) 261-7822. The text message read, "No prob. Going to pick up money." After reading the text messages in STERNISHA's phone, I questioned him about what I had read. I advised STERNISHA about the text message I read regarding this person named "Jessica" doing him a favor and preparing what appeared to be .5 grams and .8 grams for people named "Jamie" and "Omar." I advised STERNISHA the text message indicates he may possibly be dealing

REFER OTHER DR'S:	<input type="checkbox"/> CONTINUED	Tran by: KMF	Date Tran: 04-19-06
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Page 4 of 5	OFFICER: GONZALEZ ID#: 241	APPROVED: <i>John</i>	ID #: 207

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## FOUNTAIN VALLEY POLICE DEPARTMENT

## CONTINUATION REPORT

 SUPPLEMENT

DR #: 06-01782

DATE: 04-17-06

TIME: 2251

narcotics. I asked STERNISHA if he was dealing narcotics, and he said, "Not really." STERNISHA said he might have been hooking them up that day. I asked STERNISHA if he sells drugs to individuals on occasion, and he said, "Yes." I asked STERNISHA if it was safe to say that he sometimes sells drugs and he sometimes does not sell drugs, and he said, "Yes."

After questioning STERNISHA, he was transported to Orange County Jail and booked for H&S 11378, possession of narcotics for sales; H&S 11379, transport narcotics for sales; H&S 11364, possession of narcotics paraphernalia; and H&S 11357(b), possession of marijuana under one ounce.

The white crystallized substance confiscated valtox tested positive for methamphetamine and weighed approx 3.1 grams, gross weight. I requested the white crystallized substance be sent to OCSD for testing. The marijuana weighed approx .2 grams, net weight. All items were booked into FVPD property as evidence.

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Page 5 of 5	OFFICER: GONZALEZ ID#: 241	APPROVED:	ID #:

**Fountain Valley Police Department**  
**Property Voucher Form**

Voucher Number: 245384519787		Officer: 241 GONZALEZ, J.				
Case Number: 06-1782		Crime Code: HS11378 Description: POSS CNTL SUB FOR SALE				
Date of DR: 04/17/2006		Time of DR: 22:51				
Suspect: 1) MARK STERNISHA		2) 3)				
Victim: 1) STATE OF CA		2) 3)				
Location found: GONZALEZ/241						
Date Booked: 04/19/2006		Time Booked: 05:29				
Property EVIDENCE	Item Number 1	Item CURRENCY	Item Description CURRENCY/COINS		Place Barcode Label Here	
			Manufacturer	Model		Serial
Color	Additional info <b>CASH FOUND IN STERNISHA'S WALLET</b>					
WALLET	Premises/Area taken from/Notes			Location stored 36	Value 98.00	
Property EVIDENCE	Item Number 2	Item TAPE-OFFIC	Item Description OFFICER MICRO TAPE			Place Barcode Label Here
			Manufacturer SONY	Model	Serial 06143	
Color	Additional info <b>INTERVIEW WITH STERNISHA</b>					
GONZALEZ/241	Premises/Area taken from/Notes			Location stored 36	Value 0.00	
Property EVIDENCE	Item Number 3	Item CELL PHONE	Item Description CELLULAR PHONE			Place Barcode Label Here
			Manufacturer MOTOROLA	Model RAZOR	Serial	
Color	Additional info <b>STERNISHA'S CELLPHONE</b>					
SUSPECT VEHICLE	Premises/Area taken from/Notes			Location stored 36	Value 0.00	

**Fountain Valley Police Department**  
**Property Voucher Form**

Voucher Number: 245384519787			Officer: 241	GONZALEZ, J.	
Case Number: 06-1782		Crime Code: HS11378		Description: POSS CNTL SUB FOR SALE	
Date of DR: 04/17/2006			Time of DR: 22:51		
Suspect: 1) MARK STERNISHA			2) 3)		
Victim: 1) STATE OF CA			2) 3)		
Location found: GONZALEZ/241					
Date Booked: 04/19/2006			Time Booked: 05:29		
Property EVIDENCE	Item Number	Item	Item Description		Place Barcode Label Here
	4	PARA	NARCOTIC PARAPHERNALIA		
Manufacturer		Model	Serial	Cal/Gag	
Color	Additional info				
	GLASS SMOKING PIPE				
Premises/Area taken from/Notes				Location stored	Value
BLACK BAG				36	0.00
Property EVIDENCE	Item Number	Item	Item Description		Place Barcode Label Here
	5	PARA	NARCOTIC PARAPHERNALIA		
Manufacturer		Model	Serial	Cal/Gag	
Color	Additional info				
	DIGITAL SCALE				
Premises/Area taken from/Notes				Location stored	Value
BLACK BAG				36	0.00
Property EVIDENCE	Item Number	Item	Item Description		Place Barcode Label Here
	6	DOCUMENT	DOCUMENTS/PAPERS		
Manufacturer		Model	Serial	Cal/Gag	
Color	Additional info				
	PAY-OKE SHEET				
Premises/Area taken from/Notes				Location stored	Value
SUSPECT WALLET				36	0.00

OFFICER GONZALEZ DR #06-1782

OFCR. GONZALEZ: 4/17/06, 2245 hours. How you doing, sir?

MR. STERNISHA: Good. You?

OFCR. GONZALEZ: Good. Can I see your registration, please, and driver's license? What are you guys doing in that parking lot over there?

MR. STERNISHA: I was just talking to him.

OFCR. GONZALEZ: Huh?

MR. STERNISHA: I was – I was driving around looking for him, and he was walked over there when I picked him up. I didn't see his car parked over there.

OFCR. GONZALEZ: Okay. The reason why I stopped you, several things: You're not using your turn signal when you're turning, okay, and you – that license plate cover on your license plate there is illegal.

MR. STERNISHA: Illegal. What do you mean it's illegal?

OFCR. GONZALEZ: Can't – it's illegal. You can't have it on there.

MR. STERNISHA: Okay.

OFCR. GONZALEZ: You ever been arrested before?

MR. STERNISHA: Yeah, a long time ago.

OFCR. GONZALEZ: For what?

MR. STERNISHA: It was for possession.

OFCR. GONZALEZ: Possession of what?

MR. STERNISHA: I believe it was (inaudible).

OFCR. GONZALEZ: You believe it was methamphetamine or it was methamphetamine?

MR. STERNISHA: It was, (Inaudible).

OFCR. GONZALEZ: I need to see your registration.

MR. STERNISHA: (Inaudible) because my car – I just got my car back from being stolen.

OFCR. GONZALEZ: Uh-huh.

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Okay. When was the last time you were arrested?

MR. STERNISHA: I think it was 2002, something like that.

OFCR. GONZALEZ: Okay. You still living on, ah, on Park Balboa?

MR. STERNISHA: No, that's wrong.

OFCR. GONZALEZ: Where you living at now?

MR. STERNISHA: I live in Burbank.

OFCR. GONZALEZ: You're living at Burbank?

MR. STERNISHA: Yeah, my parents live in Westminster.

OFCR. GONZALEZ: Okay. Why you sweating?

MR. STERNISHA: It's hot right here.

OFCR. GONZALEZ: Huh?

MR. STERNISHA: It's hot and you made me nervous pull me over.

OFCR. GONZALEZ: I'm making you nervous?

MR. STERNISHA: You did.

OFCR. GONZALEZ: So look at me real quick? When was the last time you used?

MR. STERNISHA: Uh --

OFCR. GONZALEZ: Look at me.

MR. STERNISHA: October 7.

OFCR. GONZALEZ: You're high right now, dude.

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Eyes don't lie. Do you want to be honest with me or am I going to have to do this the hard way?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: You're sweating. Your eyes are big, okay.

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: It's not my first night, bro.

MR. STERNISHA: I know. I'm not --

OFCR. GONZALEZ: Okay, so make this easy on yourself. You used earlier today. What time?

MR. STERNISHA: Oh, like, like to my lunch break so three o'clock (Inaudible).

OFCR. GONZALEZ: 101, Code 1. At your lunch break? (Inaudible).

(Radio traffic.)

OFCR. GONZALEZ: Is there anything illegal in the car I need to know about?

MR. STERNISHA: No.

OFCR. GONZALEZ: Pipes, meth?

MR. STERNISHA: I don't think so.

OFCR. GONZALEZ: You don't think so, yes, no? No? 101, clear for one.

DISPATCHER: 101.

OFCR. GONZALEZ: CDL Bravo, seven, zero, one, five, five, nine, six, last of Sternisha. Where'd you use at?

MR. STERNISHA: It was over in Garden Grove area.

OFCR. GONZALEZ: In Garden Grove?

MR. STERNISHA: Yeah.

OFCR. GONZALEZ: Okay. At a buddy's house, out in your car? You said you did it on your lunch break, right?

MR. STERNISHA: Yeah. It was at a buddy's house right down the street.

OFCR. GONZALEZ: Huh?

MR. STERNISHA: It was at a buddy's house right by my work.

OFCR. GONZALEZ: Okay. Where do you work at?

MR. STERNISHA: Citinet Financial.

OFCR. GONZALEZ: Say that again.

MR. STERNISHA: Citinet Financial.

OFCR. GONZALEZ: Okay. How long you been doing that?

MR. STERNISHA: I just started there. It's my second (inaudible).

OFCR. GONZALEZ: Your second what?

MR. STERNISHA: Second week.

OFCR. GONZALEZ: Okay. Who's that guy that was in the car with you?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Were you guys gonna to get high?

MR. STERNISHA: No.

OFCR. GONZALEZ: Come on. Be honest.

MR. STERNISHA: No, we weren't.

OFCR. GONZALEZ: You're already being honest about getting high earlier today.

MR. STERNISHA: Oh, I know. I – trust me, we weren't. I don't want people to know that I get high. Come on.

OFCR. GONZALEZ: Okay.

MR. STERNISHA: It's an old friend so.

OFCR. GONZALEZ: When were you driving around looking for him?

MR. STERNISHA: Right now, like right before you got here and I saw him walking over there in the parking lot.

OFCR. GONZALEZ: Bullshit. I saw you drive over there. I saw you parked over there. As soon as I pulled right behind you, you took off, came back around, got in the parked

MR. STERNISHA: (Inaudible)

OFCR. GONZALEZ: – hold on. Listen. You went into the skating rink park and you dropped him off.

MR. STERNISHA: Right. I looked over there first for him. I didn't see him in there, and then I saw him across the street so I drove over there – (Inaudible).

OFCR. GONZALEZ: Okay. So how long were you sitting over there for, you and him?

MR. STERNISHA: Like maybe a few minutes, something like that.

OFCR. GONZALEZ: And you guys were just talking?

MR. STERNISHA: Yeah.

OFCR. GONZALEZ: What were you supposed to meet him for?

MR. STERNISHA: (Inaudible) in the area. I was right close by at another friend's house and (inaudible).

OFCR. GONZALEZ: You just wanted to what?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Wanted to hang out?

MR. STERNISHA: Because I don't ever kick it with him anymore, you know?

OFCR. GONZALEZ: Okay. So you just want to hang out in the parking lot? I mean, that – that doesn't sound very --

MR. STERNISHA: He was at Tommy's Burgers.

OFCR. GONZALEZ: Okay.

MR. STERNISHA: And so I was right down the street in the area at a friend's house so he called me on my cell phone, and I came over here and just talked to him.

OFCR. GONZALEZ: What'd you guys talk about?

MR. STERNISHA: (Inaudible) old times, you know, nothing in particular.

OFCR. GONZALEZ: In those two minutes that you guys had together, you guys talked about all that?

MR. STERNISHA: It was only a couple things, nothing real important.

OFCR. GONZALEZ: Nothing important? Whose car is this?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Huh?

MR. STERNISHA: Mine.

DISPATCH: 101

OFCR. GONZALEZ: 101.

DISPATCHER: 101, (inaudible) last of Sternisha, valid out of Westminster, shows extensive H&S OCLARS, date of last was for 11550 6 of '04, has no wants.

OFCR. GONZALEZ: 10-4.

You've been arrested for under the influence before, huh?

MR. STERNISHA: Yes.

OFCR. GONZALEZ: Okay. Why'd your buddy take off so quickly as soon as I pulled right behind you?

MR. STERNISHA: I don't know.

OFCR. GONZALEZ: I mean, he – he – he jammed the hell out of here.

MR. STERNISHA: That kind of freaked me out actually. I don't know why --

OFCR. GONZALEZ: He wanted nothing to do with whatever I was going to do with you. So I'm wondering what exactly you guys were doing in here.

MR. STERNISHA: (Inaudible) just talking (inaudible).

OFCR. GONZALEZ: Huh?

MR. STERNISHA: Nothing in particular (Inaudible)

OFCR. GONZALEZ: Nothing in particular? Okay. There's nothing illegal in your car?

MR. STERNISHA: No.

OFCR. GONZALEZ: You mind if I take a look?

MR. STERNISHA: Well, yeah, (inaudible).

OFCR. GONZALEZ: Huh?

MR. STERNISHA: Kind of. I mean, I don't feel that there's a reason that we need to. I mean, I – you know, I can --

OFCR. GONZALEZ: Well, you being under the influence gives me probable cause.

MR. STERNISHA: Yeah, but I know (inaudible).

OFCR. GONZALEZ: I don't care. You're still high. It's only been, what, nine, ten hours? It's going to be – that stuff is in your system for three days.

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Okay. So you're still under the influence. Okay. You're still showing objective symptoms. Okay. I'm just asking to be polite and to give you the respect that it is your car. Technically I do have probable cause to – to search your car. Is that all right with you if I search your car?

MR. STERNISHA: I – I'd rather you didn't, sir.

OFCR. GONZALEZ: Huh?

MR. STERNISHA: I'd rather you didn't.

OFCR. GONZALEZ: Okay. Just hang tight. I'm going to wait for my partner to get here and then we'll do whatever we're going to do. You want to be honest with me, man? It can go easy.

Walker: 110 10-97.

OFCR. GONZALEZ: It can go real easy.

Dispatch: 97

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: I can do it the hard way. I can get a dog out here. We can tear the shit out of your – your upholstery because I know you've had – I know you've had it in here before.

MR. STERNISHA: (inaudible).

OFCR. GONZALEZ: Okay. Well.

MR. STERNISHA: (Inaudible). There might be something (inaudible).

OFCR. GONZALEZ: There might be something in there. Like what, a pipe?

MR. STERNISHA: There's probably (inaudible).

OFCR. GONZALEZ: Some shit. There might be some shit in here?

MR. STERNISHA: Yeah, there might be.

OFCR. GONZALEZ: Okay. Why don't you do me a favor, step out of the car for me. Just leave your keys right there. Turn around. You got anything on you I need to know about?

MR. STERNISHA: No.

OFCR. GONZALEZ: Okay.

MR. STERNISHA: You're going to go easy, right (inaudible)?

OFCR. GONZALEZ: Huh?

MR. STERNISHA: You're going to go easy on me I'm honest with (Inaudible).

OFCR. GONZALEZ: I'm going to go easy on you. Put your hands back here. I appreciate you being honest, man. Tell you the truth, bro --

MR. STERNISHA: Because I just --

OFCR. GONZALEZ: Listen, listen, listen. To be honest with you, just looking at you I can tell you were lying from the beginning. Okay. You're just – you're not a good liar. You're high, so you're thinking process is not going too well right now.

MR. STERNISHA: I know.

OFCR. GONZALEZ: Okay. The smoother you – the smoother things go, the easier they're going to be for you.

MR. STERNISHA: (Inaudible)

OFCR. GONZALEZ: Okay. Whatever we find in here, we'll deal with it when I find it. Okay? Just because I find something in here doesn't mean you're automatically going to jail. There's ways around it. Okay? So just – just go with the program the way you are. Appreciate your honesty, and then things will go smoother. Sound good?

MR. STERNISHA: Yep.

OFCR. GONZALEZ: All right. Spread your feet. There's another guy here who took off as soon as I got – pulled him.

OFC. WALKER: In here?

OFCR. GONZALEZ: They were together over there.

OFC. WALKER: Oh, really.

OFCR. GONZALEZ: He dropped him off in the skating rink parking lot and the other guy got in the car and he, ba, I mean, he – he wanted nothing to do with this. There's nothing on you that's going to hurt me, poke me?

MR. STERNISHA: No.

OFCR. GONZALEZ: Okay. You don't mind if I take a look in your pockets?

MR. STERNISHA: (Inaudible)

OFCR. GONZALEZ: He's 550.

OFC. WALKER: Whose car is that?

MR. STERNISHA: Mine.

OFC. WALKER: (Inaudible).

MR. STERNISHA: (Inaudible).

OFC. WALKER: (Inaudible).

MR. STERNISHA: (Inaudible).

OFC. WALKER: Oh. (Inaudible).

OFCR. GONZALEZ: All right.

OFC. WALKER: Where's – who's the other guy that you were talking to?

MR. STERNISHA: (Inaudible).

OFC. WALKER: He live around here?

MR. STERNISHA: Yeah, he lives (inaudible).

OFCR. GONZALEZ: Have a seat. Turn around. Have a seat on the curb. Spread your feet out, cross them. Hands on your lap. Where would your stuff be if it's in there? Center console?

MR. STERNISHA: No, I think it's – it might be in my door maybe.

OFCR. GONZALEZ: In your door, like the door panel right here?

MR. STERNISHA: Yeah, I think.

OFCR. GONZALEZ: Okay. Just so you also know I can take a look in your car without – even if you didn't want me to do it, I can still look in your car because you don't have your registration; and by law I can look in your car just for that registration alone. Okay? But I appreciate your cooperation here. There's nothing in that car that's going to poke me? I'm not going to stick my hands under the seat and a needle is going to poke me or anything like that, right?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Okay. Just hang tight. I'll be right back. All right, man, it's not in your door. Where else – where else would you keep it?

OFC. WALKER: In that bag back there maybe.

OFCR. GONZALEZ: Yeah, I haven't checked it yet. Is that your bag back there?

MR. STERNISHA: Yeah.

OFCR. GONZALEZ: All right.

MR. STERNISHA: It could be in the bag.

OFCR. GONZALEZ: All right. Whose little – is that a CD case or is that a chick's purse?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: That's yours, right?

MR. STERNISHA: (Inaudible).

OFC. WALKER: Where's the girl at?

MR. STERNISHA: She's at (inaudible).

OFCR. GONZALEZ: Where was the stuff that was in here?

MR. STERNISHA: What?

OFCR. GONZALEZ: Did – did you have some shit in there?

MR. STERNISHA: (Inaudible).

OFC. WALKER: What happed the last time you were arrested?

MR. STERNISHA: (Inaudible).

OFC. WALKER: That was it?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Whose CDs are these?

MR. STERNISHA: What's that?

OFCR. GONZALEZ: Whose CDs are these?

MR. STERNISHA: The ones with (inaudible)?

OFCR. GONZALEZ: Yeah.

MR. STERNISHA: They are a friend of mine's.

OFCR. GONZALEZ: What's your friend's name?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: How do you know her?

MR. STERNISHA: I think I met her – I might have met her (Inaudible)

OFCR. GONZALEZ: What was that?

MR. STERNISHA: I might have met her a long time ago when I (Inaudible) to be picking up (Inaudible)

OFCR. GONZALEZ: Where does she live? I'm assuming it's a she.

MR. STERNISHA: Yeah, yeah (inaudible).

OFC. WALKER: (Inaudible) right here?

OFCR. GONZALEZ: He was parked over there in the Sportmart lot.

OFC. WALKER: Do you want to go check the parking lot when you get (Inaudible)

OFCR. GONZALEZ: (Inaudible) in a minute, yeah. He said he's got some in here.

OFC. WALKER: 3.3 (inaudible).

OFCR. GONZALEZ: 3.5 (inaudible).

OFC. WALKER: Hold on.

UNKNOWN: (Inaudible).

OFCR. GONZALEZ: Huh?

OFC. WALKER: (Inaudible).

OFCR. GONZALEZ: Is this your pipe?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Huh?

UNKNOWN: Is there anything else in there?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Why do you have a little -- finger condoms in there?

MR. STERNISHA: Oh, cause somebody gave them to me they wanted (inaudible).

OFCR. GONZALEZ: What?

MR. STERNISHA: They wanted – somebody wanted to put shit in it and I was like I didn't want to keep it so.

OFCR. GONZALEZ: Where do you get your dope from?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Huh?

MR. STERNISHA: A friend of mine.

OFCR. GONZALEZ: A friend of yours? In Huntington, Westminster?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: The guy's place where you got --

MR. STERNISHA: What?

OFCR. GONZALEZ: The guy's place where you got high earlier today?

MR. STERNISHA: No (Inaudible)

OFC. WALKER: When did you use last, earlier?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: They're blown out.

OFC. WALKER: (Inaudible)

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: What do you go to the University of Phoenix for? What are you studying there?

MR. STERNISHA: Well, I went to school there for a while. Then I – I also worked there.

OFCR. GONZALEZ: Oh, did you?

MR. STERNISHA: (Inaudible)

OFCR. GONZALEZ: How long you been smoking dope?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: How old are you now?

MR. STERNISHA: I'm 26. (Inaudible). I don't know, four years, something like that maybe.

OFCR. GONZALEZ: Is it a habit? Do you like doing it or what?

MR. STERNISHA: Honestly, it's like (inaudible) like I hate it. It brings back (inaudible).

OFCR. GONZALEZ: Today was the first time you've done it in a long time?

MR. STERNISHA: Yeah.

OFCR. GONZALEZ: Why do you got an eight ball worth here?

MR. STERNISHA: I don't know. Because I knew that that would get somebody's attention in order to get it.

OFCR. GONZALEZ: What?

MR. STERNISHA: Like I – the more money you have, the easier it's going to be to get.

OFCR. GONZALEZ: Okay. But if today is the first time you've used in a long time, why would you have an eight ball with you?

MR. STERNISHA: Well, actually it was part – somebody else put in money with me, so.

OFCR. GONZALEZ: Come on, dude, when are you going to be honest? When are you – how long you been dealing?

MR. STERNISHA: (Inaudible) what?

OFCR. GONZALEZ: Dealing.

MR. STERNISHA: (Inaudible) deals.

OFCR. GONZALEZ: You don't deal?

MR. STERNISHA: No.

OFCR. GONZALEZ: All the signs are pointing to dealing.

MR. STERNISHA: I kind of figured you were going to say that.

OFCR. GONZALEZ: Huh?

MR. STERNISHA: I kind of figured you were going to say that.

OFCR. GONZALEZ: Well, most people don't have scales an eight ball.

MR. STERNISHA: Well, I've been ripped off so many times, I don't know how else to do it.

OFC. WALKER: (Inaudible).

OFCR. GONZALEZ: And this pay owe – and this pay owe sheet doesn't help you either.

MR. STERNISHA: Yeah, that (inaudible).

OFCR. GONZALEZ: People owe.

MR. STERNISHA: Yeah, that's not from --

OFCR. GONZALEZ: Touraf 30, Eric 90. Mike B., 30; Jan, 370. Well, that's a pay owe sheet. You know what a pay owe sheet is?

MR. STERNISHA: Pay out or pay --

OFCR. GONZALEZ: Pay owe sheet. That means what people owe and what people have paid.

MR. STERNISHA: Right.

OFCR. GONZALEZ: Dealers usually carry records like that. That's their way of keeping tabs on their people. That way they don't get – that – that way they don't get suckered out of their money. Here's your registration by the way.

MR. STERNISHA: Okay. (Inaudible) find it.

OFCR. GONZALEZ: Yep.

OFC. WALKER: (Inaudible). Here's Jim, blow job. What's that? Just kidding.

OFCR. GONZALEZ: Plus bowl, 90 plus a bowl.

OFC. WALKER: Shit, 50 plus 55 shit. Oh, wait, shit -- oh, shit equals methamphetamine.

OFCR. GONZALEZ: Yeah, you said you had shit earlier.

OFC. WALKER: That's a, that's a street term for methamphetamine. (Inaudible), man, (inaudible).

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Hey, you know what, you've been – you've been – you've been cooperative up to this point. We're not – we're not going to treat you cheap, man, but you got to realize, it's like you said earlier, we're – it's not our first day. Do me a favor, put your hands behind your back. Is that too tight?

MR. STERNISHA: No, that's fine.

OFCR. GONZALEZ: Huh?

MR. STERNISHA: That's fine.

OFC. WALKER: Uh huh.

OFCR. GONZALEZ: All right. Hold on. Here's the deal, bro, is there anything else on you that I need to know about? Okay. Because if you take stuff into my jail and then Orange County Jail and I don't find it, that's another mandatory three years I think it is—

UNKNOWN: (Inaudible)

OFCR. GONZALEZ: --federal, no, no, no, you been honest about that shit, you know. That's why I'm giving you the – the courtesy to make sure to tell me the truth now. Okay. Seriously, I don't want to – I don't like to see people get the mandatory three years federal – federal prison time because they take shit into – into jails.

MR. STERNISHA: There's nothing else on me.

OFCR. GONZALEZ: Okay. Stand on up. Let's go over here.

MR. STERNISHA: Is there any way we can leave my car here instead of towing it or --

OFCR. GONZALEZ: No.

MR. STERNISHA: Can we like put it in the parking lot of something?

OFCR. GONZALEZ: It's parked in the red. Just lean – lean over the car like a – here's the deal, man, like I said earlier, it goes a lot easier when you – when you're honest and I'm going to keep my end of the bargain. When we get to the Station, you want to work this off? You know, we're not after people carrying this much. You're just a small time dealer. We want to go after people who are – who are distributing this shit

) and making it. So sit in your – sit in my car, think about it. If you want to help yourself out, believe me, it will help you out – help yourself out greatly if you help us out, all right? I'll let you – let you think about it and then when we get to the Station, we'll talk more about it. Sound good?

MR. STERNISHA: All right.

OFCR. GONZALEZ: All right, man.

UNKNOWN: Are you going to park his car or you're going to tow it?

OFCR. GONZALEZ: You know what, I'm probably going to park it. He's been cool with me. Hold on, hold on.

UNKNOWN: (Inaudible).

OFCR. GONZALEZ: Huh?

OFC. WALKER: (Inaudible)

OFCR. GONZALEZ: Yeah.

OFC. WALKER: (Inaudible).

OFCR. GONZALEZ: (Inaudible). 101, 10-15.

DISPATCHER: 101, copy.

OFCR. GONZALEZ: What's that? No.

OFC. WALKER: (Inaudible).

OFCR. GONZALEZ: No, I'm going to – you know what, when we're done here, I'm going to need you to park it right there in that parking lot.

OFC. WALKER: (Inaudible). You got the pay owe sheet right there.

OFCR. GONZALEZ: Pay owe sheet, cash, scales.

UNKNOWN: Beautiful. Holy shit nice bust.

OFCR. GONZALEZ: You know what, that guy was deal – buying from –

(TAPE TURNS OFF)

OFCR. GONZALEZ: Why don't you just go ahead and talk about what – what went on out there. Sound good?

MR. STERNISHA: Yep.

OFCR. GONZALEZ: You have the right to remain silent. Anything you say may be used against you in court. You have the right to the presence of an attorney before and during any questioning. If you cannot afford an attorney, one will be appointed for you free of charge before any questioning if you want. Do you understand your rights?

MR. STERNISHA: Yes.

OFCR. GONZALEZ: Okay. With these rights in mind, do you want to talk to me about what went on out there?

MR. STERNISHA: Sure.

OFCR. GONZALEZ: Huh?

MR. STERNISHA: Sure.

OFCR. GONZALEZ: What were you guys – when I first pulled up into that parking lot, you were – there was another person in the car, right?

MR. STERNISHA: Yes.

OFCR. GONZALEZ: Who was that, a buddy of yours?

MR. STERNISHA: Yeah, a friend of mine.

OFCR. GONZALEZ: Okay. What was he doing in there?

MR. STERNISHA: We were actually – we were about to smoke a bowl (inaudible).

OFCR. GONZALEZ: A bowl of weed or --

MR. STERNISHA: No, it was meth.

OFCR. GONZALEZ: Meth, okay.

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: What was that?

MR. STERNISHA: He was all drunk I think.

OFCR. GONZALEZ: He was?

MR. STERNISHA: Yeah. (Inaudible).

OFCR. GONZALEZ: Did he call you and you met him there or --

MR. STERNISHA: (Inaudible) right down the street at another friend's house and (inaudible) right there by Tommy's Burgers.

OFCR. GONZALEZ: Okay. And so you guys were just going to --

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Were ya? Did you – you guys get a chance to smoke?

MR. STERNISHA: (Inaudible)

OFCR. GONZALEZ: No?

MR. STERNISHA: (Inaudible)

OFCR. GONZALEZ: As soon as I pulled up, you guys – did you even get to load it?

MR. STERNISHA: What's that?

OFCR. GONZALEZ: Did you even get to load your bowl?

MR. STERNISHA: We put some in there.

OFCR. GONZALEZ: Did you?

MR. STERNISHA: Yeah.

OFCR. GONZALEZ: Okay. Is there any reason why you didn't use your turn signal when you were coming out of the parking lot or when you turned into the other parking lot?

MR. STERNISHA: No.

OFCR. GONZALEZ: No?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Just kind of nervous or just forgot or --

MR. STERNISHA: I don't. I don't do, do that (inaudible).

OFCR. GONZALEZ: Yeah. Did you know it was illegal to have that license plate cover on your car, on your -- over --

MR. STERNISHA: (Inaudible)

OFCR. GONZALEZ: It's not -- it's not illegal to have it around the license plate number, but the number itself can't be covered.

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Did you know that? No. Okay. A lot of people don't. You said out there that you smoked meth earlier in the day around, what, 12:00?

MR. STERNISHA: No, it was like -- more like 3:00.

OFCR. GONZALEZ: 3:00. When I was talking to you out there, did you still -- were you still feeling high?

MR. STERNISHA: Yes.

OFCR. GONZALEZ: Yeah? Yeah, because you were sweating, your eyes were --

MR. STERNISHA: No, it's not --

OFCR. GONZALEZ: Your eyes were pretty big.

MR. STERNISHA: (Inaudible) high (Inaudible)

OFCR. GONZALEZ: But you still felt it; you still felt the effects?

MR. STERNISHA: Yes.

OFCR. GONZALEZ: Yeah. Because, I mean, just from my observations, like I said, you were showing objective symptoms, you know, you're sweating; your eyes were what we call blown out, they were really big. You were kind of fidgety, you know, and so. What about the stuff in your, the bag?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Is that your stuff?

MR. STERNISHA: Yes.

OFCR. GONZALEZ: All that meth in there?

MR. STERNISHA: Yes – well, it was being (inaudible).

OFCR. GONZALEZ: Okay. Is that personal use?

MR. STERNISHA: Yeah.

OFCR. GONZALEZ: Okay. What's with the pay – what's with the scale?

MR. STERNISHA: Okay. I just, I've been screwed over so many fricken times that – I figured the only way to get what I paid for was to buy a scale.

OFCR. GONZALEZ: Okay.

MR. STERNISHA: So.

OFCR. GONZALEZ: So do you carry your scale when you go in and buy your stuff?

MR. STERNISHA: The majority of the time, yeah, or I leave it in the car (inaudible).

OFCR. GONZALEZ: And you – so you weigh your stuff in front of the person you're actually buying from?

MR. STERNISHA: Yeah (inaudible).

OFCR. GONZALEZ: That's unusual. I never have people usually doing that. Usually the dealer gets pissed if you do something like that.

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: You said out there you've been using since you were 20. You're 26 now, so that's roughly six years.

MR. STERNISHA: Right.

OFCR. GONZALEZ: You can't tell what a gram looks like just by looking at it?

MR. STERNISHA: Oh, I can – I can have some idea. I just don't – if they're still going to touch it, I don't want (inaudible).

OFCR. GONZALEZ: How much is a gram going nowadays?

MR. STERNISHA: I think like 60 bucks at least.

OFCR. GONZALEZ: Sixty?

MR. STERNISHA: Um-hum.

OFCR. GONZALEZ: All right. And you and another buddy bought all – bought those three grams?

MR. STERNISHA: Um-hum.

OFCR. GONZALEZ: That eight ball, basically a little less than an eight ball.

MR. STERNISHA: Yeah.

OFCR. GONZALEZ: What was with the pay owe sheet?

MR. STERNISHA: That's from – that's from a long time – I used to have a (inaudible). And that's (inaudible), I had my car stolen. I had my (inaudible) stolen (inaudible) money.

OFCR. GONZALEZ: Yeah.

MR. STERNISHA: (Inaudible). I don't know. I just wanted to keep some record of all the --

OFCR. GONZALEZ: Do you – do you understand that all that stuff looks like you're selling and dealing?

MR. STERNISHA: Oh, yeah, I know.

OFCR. GONZALEZ: I mean, everything in your, in that little pouch that was inside your – your little book bag, everything in there is consistent with what – with what, you know, people who sell drugs. All that stuff is consistent with --

MR. STERNISHA: That's why I keep it all in one pouch so like if I, if I go somewhere I just put that all somewhere, you know, so nobody else gets it. So it's better in one place than all over in your car, right?

OFCR. GONZALEZ: Yeah, I guess so. But, you know, I tend to believe that you might be selling on the side, you know. I'm not saying you're big time, but, you know, I tend to believe that you're selling and whether or not you were doing that today, that's beyond – that's beside the point because I can't prove that.

MR. STERNISHA: Okay.

OFCR. GONZALEZ: But what I can prove in court is that everything that was in your bag points to you selling drugs. You know what I mean? And, you know, like I said, you might not be a big time dealer. You're not – you're not moving like pounds or,

) you know, stuff like that, but, you know, selling here and there and, you know, just to, you know, make your mon – make some money or to, you know, support your habit. You know, people do that all the time. And people who normally have stuff for their personal use don't carry – they don't carry an eight ball. They don't carry scales. They don't carry little finger condoms, you know, so they don't get the stuff on there. They don't carry, you know --

MR. STERNISHA: Right.

OFCR. GONZALEZ: -- little containers that they package their stuff with, you know, that carry, you know, those little containers. You know what I mean? They don't have pay owe sheets.

MR. STERNISHA: (Inaudible) carry all that around all the time except for I just moved to Burbank, so it's like --

OFCR. GONZALEZ: Okay, I understand that, but like I said, it's not going to be hard for me to prove in court that that's what you're doing on the side.

MR. STERNISHA: Well, I just – I can tell you that I'm not and I can tell you honestly that I've tried before, and I didn't make anything.

OFCR. GONZALEZ: You tried? When was the last time you tried?

MR. STERNISHA: Oh, it was right before I (inaudible)

OFCR. GONZALEZ: Right before you what?

MR. STERNISHA: Went into (Inaudible).

OFCR. GONZALEZ: Which was?

MR. STERNISHA: 2002, somewhere around there.

OFCR. GONZALEZ: 2002?

MR. STERNISHA: Yeah. And I just --

OFCR. GONZALEZ: So you're saying you're not dealing at all now?

MR. STERNISHA: No, no.

OFCR. GONZALEZ: So all that stuff --

MR. STERNISHA: All that stuff was my personal use, yeah.

OFCR. GONZALEZ: It's all just coincidence?

MR. STERNISHA: Um-hum. Well, I mean, all that stuff I use personally.

OFCR. GONZALEZ: You use, you can use an eight ball?

MR. STERNISHA: Over time, yeah.

OFCR. GONZALEZ: How, how long?

MR. STERNISHA: (Inaudible) at least a week.

OFCR. GONZALEZ: How long ago did you move to Burbank?

MR. STERNISHA: Like a month ago.

OFCR. GONZALEZ: A month ago?

MR. STERNISHA: Two months.

OFCR. GONZALEZ: Why would you care – leave all that stuff at home?

MR. STERNISHA: Because --

OFCR. GONZALEZ: Carry – you can carry just a – you know, most people carry just what they're going to use that night.

MR. STERNISHA: Right, well --

OFCR. GONZALEZ: A gram at the most.

MR. STERNISHA: I happened to pick up, right, today so.

OFCR. GONZALEZ: Where did you pick up at?

MR. STERNISHA: Like I said, me and a buddy went in with – on shit and I was at a friend's house and the guy happened to stop by and I just jumped on it.

OFCR. GONZALEZ: Hmm.

MR. STERNISHA: So. Yeah, normally I wouldn't carry that much.

OFCR. GONZALEZ: Normally you wouldn't carry that much?

MR. STERNISHA: (Inaudible)

OFCR. GONZALEZ: Okay. Like I said, all this is pointing to you distributing it and selling it. Okay. That's why we're here talking about it and, you know, two sides to every story and that's what's going to go in the report, but just things aren't looking correct. You know what I mean? They don't look like what you're saying they are. And that's why when I talked to you out there, you know, if you're, if you're honest, things go a lot easier. Okay.

MR. STERNISHA: Right.

OFCR. GONZALEZ: I think I've been fair up to this point. I have treated you with respect. I haven't treated you like an asshole or treated you cheap or anything like that.

MR. STERNISHA: Uh, huh.

OFCR. GONZALEZ: And I will continue to do that as long as you continue to tell me the truth.

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: Okay. I think you're a small-time dealer. Okay.

MR. STERNISHA: Okay.

OFCR. GONZALEZ: All the evidence is pointing towards that. Okay. Whether or not you want to admit it, that's – that's up to you. Okay. Alls I can do is testify about my training, what I've experienced in law enforcement and what, you know, all that stuff means when somebody is carrying. Okay. But like I said, it helps you out. It help you out in court because it'll go – you know, all this goes in the report.

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: All this is going to go in the report. It's going to make you look good. It's going to make – you know, it's going to show that you know what, you made – you made some dumb mistakes. This is one of them, and you're not sitting there – you're not trying to deny something that – you know what I mean? It just – it just looks better for you.

MR. STERNISHA: Right.

OFCR. GONZALEZ: So --

MR. STERNISHA: Well, I – I – I don't deal. I can't.

OFCR. GONZALEZ: You don't deal?

MR. STERNISHA: I tried it before and, yeah, you have a few bucks in your pocket, but in the long run, you get nothing out of it. That's what I always hated.

OFCR. GONZALEZ: How old is that pay owe sheet that you have in your --

MR. STERNISHA: That's probably a good -- actually -- probably back in 2002.

OFCR. GONZALEZ: Yeah. Earlier out there when I asked you if you had anything illegal in your car, you said, "Yeah, I probably have some shit in the car." And I know that "shit," you know, on the street means some sort of narcotics, usually methamphetamine is what it's referred to.

MR. STERNISHA: Um-hum.

OFCR. GONZALEZ: On your pay owe sheet, you have some -- some --

MR. STERNISHA: Things I (inaudible).

OFCR. GONZALEZ: -- some things in there about shit, you know, so that also point -- you know what I'm saying? These are all things that are pointing in that direction.

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: So, you know, if you want to continue to deny it, that's fine. When I talked to you out there, I said, you know, that, you know, maybe there's a way you can help me out and help yourself out to save time, like I said, I think you're a small time dealer. No big deal. Hey, you got a habit too. A lot of people deal small time. They do it for -- for their own habit.

MR. STERNISHA: Um-hum.

OFCR. GONZALEZ: I think that's what you're kind of doing right now. Do you -- are you willing to help us go for the bigger fish, you know, which will help you out in the long run?

MR. STERNISHA: If it, if it depends on what -- what is in it for me, like what --

OFCR. GONZALEZ: Well, basically what happens is we're going to have one of our nar -- our Narcotics Officers come down, our Detective Officers, come down. They're going to talk to you. You can tell them what -- what you can get and stuff like that.

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: We're not saying that you're going to be un-arrested, but when it – when all this comes to court, the Narcotics Officer writes a letter of recommendation to the D.A. saying that you helped us out, that, you know, that – basically it's almost like you're working off your – your sentence.

MR. STERNISHA: Right.

OFCR. GONZALEZ: So to speak. You know what I mean? I'm not saying, you know, I'm not going to promise you that you're not going to go to jail today because you are. But when things, you know, finally go to court and everything, you know, is done and said, you know, that letter of recommendation can be, you know, the difference between you serving time and the difference between you getting probation and maybe some more drug court. So I, I personally think that's a pretty good --

MR. STERNISHA: (Inaudible) some type of written guarantee that – or whatever – whatever is going to be for me like on this.

OFCR. GONZALEZ: Huh?

MR. STERNISHA: I would need something like written guarantee saying that this is going to have a --

OFCR. GONZALEZ: Well, like I said, I can't promise you anything because I'm not the one that actually do it.

MR. STERNISHA: Right.

OFCR. GONZALEZ: Do you want me to call one of our Narcotics Officers down here; he can talk to you, tell you what he can, what he can't do?

MR. STERNISHA: (Inaudible).

OFCR. GONZALEZ: They're the ones – this – basically right now my contact with you, that's what I handle. That's the only part I handle. After the Narcotics Officer comes and talks to you, I'm involved in it, but he handles that part.

MR. STERNISHA: Sure

OFCR. GONZALEZ: You know what I mean? And they can give you more specifics on what they can, what they can't do. My experience is that, like I said, normally you're not going to – you know, we're not going to just say, "Okay, you can go home," but like I said, what happens is usually a letter of recommendation is, you know, written to the D.A., stuff like that, and, you know, but if you want more information, I can get – like I said, I can call a Narcotics Officer. We can come down. We'll talk – you know, we'll go upstairs. He can talk to you, tell you how the whole thing works and then you can – because I know you know --

MR. STERNISHA: No, I know --

OFCR. GONZALEZ: I know you know some information that can help us out and help you out in the long run, but --

MR. STERNISHA: It's just if people find out, I'm not going to be around.

OFCR. GONZALEZ: I understand that. I understand that, but you know what, for the most part, things are, you know, we won't, we don't -- we don't lay people out so they get hurt and just so we can, you know, get some dope.

MR. STERNISHA: I just want to make sure that it's going to be worth my time.

OFCR. GONZALEZ: Right.

MR. STERNISHA: That's all.

OFCR. GONZALEZ: Do you want me to go ahead and call that Officer and have him come down?

MR. STERNISHA: Yeah. If you think you can help me out.

OFCR. GONZALEZ: You want to do that?

MR. STERNISHA: Yeah.

OFCR. GONZALEZ: Okay. Just give me some time. I got to go upstairs, get -- give him a call. I'll put you back in a cell.

MR. STERNISHA: Okay.

OFCR. GONZALEZ: And then hopefully we can -- you know, get him down here as soon as possible, you know, talk to you and see what we can do for you.

MR. STERNISHA: Okay.

OFCR. GONZALEZ: Sound good?

MR. STERNISHA: Yep.

OFCR. GONZALEZ: All right, man.

MR. STERNISHA: You think I can make a phone call?

OFCR. GONZALEZ: Huh?

MR. STERNISHA: Do you think I can make a phone call?

OFCR. GONZALEZ: Depending on how soon or long the Officer --

MR. STERNISHA: Okay.

OFCR. GONZALEZ: If it's going to take him more than an hour or two, I'll just go ahead and give your calls then.

MR. STERNISHA: Okay. I mean, even you can call them and just tell them that I'm okay (inaudible).

OFCR. GONZALEZ: Who do you want to call, your mom or what?

MR. STERNISHA: No, it's where I'm staying in Burbank.

OFCR. GONZALEZ: Okay. The only reason why is because I don't want -- if you're going to help us out --

MR. STERNISHA: That's fine. I understand.

OFCR. GONZALEZ: You know what I mean? I don't want to burn anything that --

MR. STERNISHA: That's fine.

OFCR. GONZALEZ: For one, it's going to make you look bad. Mainly that, you know, that -- so they don't look to you as --

MR. STERNISHA: Right.

OFCR. GONZALEZ: -- being a rat or whatever. You know what I mean? That's not, I mean that's not --

MR. STERNISHA: Yeah, I don't want --

OFCR. GONZALEZ: Our whole thing is we don't want -- if we can keep you out of, you know, the loop so to speak, and make, you know, so things aren't pointed towards you, that's -- that's the ideal thing. You know what I mean?

MR. STERNISHA: Yeah, perfect.

OFCR. GONZALEZ: So, all right, let's put you back in a cell and then I'll come back and tell you what's going on.